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Legal Graduates work experience during their Articles of Clerkship

Dayalan Dalyiah Naidoo

A research report submitted to the Faculty of Commerce, Law and Management, University of the Witwatersrand, in partial fulfillment of the requirements for the degree of Masters in Management (in the field of Public and Development Management)

Johannesburg, July 2009

ABSTRACT

The purpose of this exploratory, quantitative study was to better understand the legal graduates transition from university to the workplace by exploring their work expectations upon entering the workplace for their Articles of Clerkship, their rating of actual work experience, and their supervisors' experience working with them during the Articles of Clerkship.

The study was conducted in the Legal Aid Board during January 2007, using questionnaires. The major findings were that for Legal graduates' expectations of the workplace relating to the areas of career growth, structure, teamwork, expression, recognition, environment and balance were high. The actual work experience of the legal graduates in the last 12 month of their Articles of Clerkship indicated a positive experience relating to the areas of diversity, career growth, teamwork and environment, while indicating concerns regarding the areas of autonomy and recognition. The supervisors' experience while supervising the legal graduate during the Articles of Clerkship was similar to the legal graduates' experience with regards to placing importance on their ability to receive clear instructions on what to do, being able to utilise available resources, being a team player and taking the available opportunities to progress towards his / her professional goals.

The findings indicate some concerns in relation to their Articles of Clerkship experience. The legal graduate experienced very low independence and freedom to make decisions about how to execute their job. They felt that acknowledgement and reward of good work was seriously lacking and that they were not able to share their opinions and feelings openly. They also felt that their commitments in terms of personal and professional goals were not fully understood and experienced by others.

In the light of these findings the study recommends that these concerns could inform attempts to review and improve the Articles of Clerkship and initiate the development of institutional capacity to facilitate the Articles of Clerkship more effectively.

DECLARATION

I, Dayalan Dalyiah Naidoo, declare this research report is my own, unaided work. It is submitted in partial fulfillment of the requirements for the degree of Masters in (the field of Public and Development Management) in the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination in this or any other university.

Dayalan Dalyiah Naidoo
July 2009

DEDICATION

To May, Dylyn and Carmin, without your endless patience, encouragement, faith and support this research would never have been possible.

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CHAPTER 1

Background to Research

1.1 Introduction

The move from tertiary institution to the working world can be an extremely exciting yet emotional and highly stressful experience. One of the concerns confronting business today is the extent of individual development still required by graduates once they have completed their studies. This is a generic concern across all academic disciplines, not specific to the legal discipline. This in no way attacks academic freedom in suggesting that higher education should be about training graduates for jobs rather than improving their minds. This entails a separate discussion around higher education and market responsiveness.

Exactly who is responsible for ensuring graduates have adequate “soft skills” such as concise communication, business etiquette, presentation skills and conflict management? Of equal importance, do graduates have the necessary “business skills” such as research, IT know-how, business writing and self management? Ongoing debate and discussions amongst leaders at various platforms echoes this very same question. It is a concern at various institutional levels and sometimes debated within the Justice Cluster that universities are not adequately preparing graduates to enter the working world ready for full-on participation.

Unique to the law graduate is that the Internship (Articles of Clerkship), which is a legislative requirement, is initiated after the completion of academia. Established practice in the school-to-work transition in the legal profession reveals that there is a need for an undergraduate degree plus an extensive supervised internship for certification together with a practical examination before graduates can begin their professional discourse.

This is unlike other professions like education, social work, physiotherapy and occupational therapy, where the principal aim of professional education is to coach new practitioners. Many of the methods designed for that end –such as simulations, case studies, and internships seek to ease the passage to professional practice by restructuring it under controlled environments at school or in practicum. Additionally, in such instances, artifacts of workplace activity are closely examined in classrooms in anticipation of their deployment on the job (Le Maistre and Paré, 2004).

However, most employers expect law graduates to run with their new jobs while graduates expect employers to show them the ropes. This leads to an "expectations gap" which can clearly create stress and tension in the workplace. In actuality, the law graduate is familiar only with objectives, rules and means of academic activity, and must develop organisational knowledge without the benefit of prior experience (Le Maistre and Paré, 2002).

This research draws on theory to help explain why the move from classroom to workplace is often so difficult. The data gather by the writer examines the expectations and the actual work experience of the legal graduates and makes it possible for the writer to suggest recommendations to stakeholders, that a well balanced Articles of Clerkship, together with a flexible, transparent and fearless environment, provides a bridge between academic preparation and full participation in the workplace. A fearless environment is a cooperative work place where consequence can be managed efficiently. This concept is further dealt with in the introduction to the Literature Review.

The study was located at the Legal Aid Board of South Africa, the country's largest employer of newly qualified legal graduates. The Legal Aid Board is an autonomous statutory body established by the Legal Aid Act (Act 22 of 1969) and the Legal Aid Amendment Act (Act 20 of 1996). The objective of the Board is to render or make available legal representation to indigent persons at State

expense as contemplated in the Constitution of the Republic of South Africa (Act 108 of 1996), which affords every citizen access to justice.

The Board exists within the milieu of the justice system. Its core business is to deliver quality legal services and it accomplishes this through a network of 57 Justice Centers, 33 Satellite Offices and 13 High Court Units dispersed throughout South Africa. The Justice Centre model in use allows the Board to employ full time legal professionals. It employs approximately 1,700 full time lawyers, 600 of whom are legal graduates serving their Articles of Clerkship.

Considering the importance of the Articles of Clerkship to the legal fraternity, it is of vital importance the profession conceptualises transfer of knowledge from academe to work, “not as an event but as a learning process where progress is affected by a large number of variables, one of which is expectations.” Eraut (2002) defines transfer as the learning process involved when a person learns to apply previously acquired knowledge / skills / competence / expertise in an entirely new situation. This may be challenging if the work environment situation is complex and unfamiliar.

1.2 Legal Graduate’s Articles of Clerkship

The legal graduate’s Article of Clerkship is a professional internship programme, facilitated by the Law Society of South Africa (LSSA). The LSSA has an oversight function in that it facilitates, regulates and monitors the Articles of Clerkship for certification.

The basic academic qualification for all legal practitioners in South Africa is the LLB degree. It is an undergraduate degree and can be completed within four years following secondary education. LLB curricula at various universities differ, but all still strike a balance between broad education and needs of the profession. The curriculum for the LLB degree provides a sound academic basis

for legal practice, and also focuses upon bridging the gap between academic and practice, with some attention given to improving graduates' overall skills. However, LLB candidates still require some practical experience and still need to pass a practical examination in order to become fully qualified legal practitioners.

In the case of attorneys, a number of possibilities arise regarding practical training. The admission requirements for attorneys in South Africa are prescribed by the Attorneys Act 53 of 1079 and the rules promulgated in terms of the Act. According to the Law Society of South Africa (2007), some of these include:

a) One can work for two years as a candidate attorney and pass a practical examination.

b) One can work for a year as a candidate attorney, do community service of a legal nature for a year, and pass a practical examination.

c) One can work for one year as a candidate, attend a practical legal training course for five months, and pass the practical examination.

d) One can do community service for a year, or have other appropriate experience, attend a practical legal training course for five months, and pass the practical examination.

The principal attorney and the candidate attorney are both responsible for registering the Articles of Clerkship, each having their own set of responsibilities and obligations in initiating this relationship. The Law Society of South Africa regulates the relationship between the Candidate Attorney and the Principal Attorney. According to the Law Society of South Africa (2007):

It is the duty of the principal attorney to ensure that:

a) the principal attorney has satisfied himself/herself that the candidate attorney is fit and proper to enter into Articles of Clerkship;

b) the candidate attorney complies with all requirements of the Attorneys Act, and that he/she has at least read the Act and the professional bodies rules;

c) the contract is signed on or before the date of commencement of the articles and delivered to the Secretary of the professional body, for registration, accompanied by all the other requirements;

d) the application for registration of articles form has been completed.

According to the Law Society of South Africa (2007) it is the duty of the Candidate Attorney:

a) To obtain testimonials couched in positive form, from at least two reputable persons as to his/her character. Those persons should identify themselves in their testimonials by giving their full names, addresses and occupations.

b) To furnish the Secretary of the professional body with:

i) A birth certificate or other proof of his or her date of birth;

ii) Matric or Matriculation Exemption certificate, if the candidate attorneys enters into Articles of Clerkship for a period of five years;

iii) Proof that he/she has satisfied all requirements for a degree which will entitle him/her to enter into Articles of Clerkship for a period of two years.

It is against this backdrop that the research was undertaken at a workplace predominately facilitating the Articles of Clerkship for a fixed term contract of two years.

1.3 Problem Statement

Although the Articles of Clerkship is a legislative requirement, it is submitted that within the context of the Articles of Clerkship various legal institutions in the public and private domain uses this period satisfying their operational needs at the same time. In most private businesses this period is regarded as a training period to facilitate professional development and on certification the individual practices as a professional. In the Legal Aid Board, after receiving intensive training for two months, the individual practices as a professional servicing the District Courts of the Justice Cluster. This is accompanied by continuous court observations and support training throughout the Articles of Clerkships. Included in these interventions are two appraisals conducted by the Supervisory Professional Assistant on the candidate attorney. The first appraisal (See Appendix “G”) deals with the evaluation of the candidate attorney’s readiness for Court interaction and the second appraisal (See Appendix “H”) deals with the evaluation of the candidate attorney’s for Certification and admission to the profession.

A local Google search reveals little or no interrogation conducted on legal graduate’s work expectations and their actual work experience during the Articles of Clerkship. There is also no indication of whether or not matching and aligning of the legal graduate’s work expectation to actual work experience is one of the positive indicators that contribute to narrowing the gap between academia and work.

Given this scenario, it was appropriate to investigate whether the legal graduates' work expectations derived purely from academe is realistically aligned to the Legal Aid Board's operational needs, and how this impacts on their actual work experience during the Articles of Clerkship at the Legal Aid Board.

1.4 Purpose Statement

The purpose of the research was to examine the legal graduates' workplace expectations via a self reporting mechanism, to examine perception of legal graduates' work experience, as reported by themselves during the Articles of Clerkship, and to examine the employers' working experience with the legal graduate as reported by the supervisors supervising the legal graduates during the Articles of Clerkship. The data may be used to identify areas for improvement in designing more effective Articles of Clerkship to aid their full work participation.

1.5 Research Questions

The research explored the alignment between the legal graduates work expectations and their actual work experience during the Articles of Clerkship and documented good practices from the literature available, associated with internship generally, not specifically focused on the Articles of Clerkship. The research undertook to provide an understanding of the gap between academic preparation and full participation in the work place, thus assisting in managing and facilitating the gap more effectively, resulting in benefits for the law graduate and their employers. Good practices are those identified as complimentary to the graduate and the employer, ones that enhance the quality of the internships. The research attempted to find answers to the following questions by using dimensions of workplace experience from the Work Expectations Profile developed by Inscape Publishing, Inc. (2001)0

1. What are the legal graduates' workplace expectations during the first twelve months of the Articles of Clerkship? It is important to note that the legal graduate was surveyed during the first twelve months of the Articles of Clerkship and not before the commencement of the Articles of Clerkship.

2. What is the employer's supervising experience of the legal graduate during Articles of Clerkship?

3. What is the gap between the legal graduates' workplace expectations and actual work experience during the Articles of Clerkship?

4. What can be done to support the Articles of Clerkship in providing a bridge between academic preparation and full participation in the work place?

CHAPTER 2

Literature Review

2.1 Introduction

The purpose of this literature review was to examine areas of research that dealt with the subject matter. In it I have examined and presented literature related to Internships, employer expectations of graduates, learning in two communities and concluded with graduates work expectations. The section on learning in two communities discusses the challenge for universities and workplaces, while the concluding section discusses the important role of understanding the nature of the "psychological contract" between the graduate and the employer.

Experiential or practical education provides the opportunity and the environment for students to experience first-hand, outside the classroom, activities and functions which relate directly to the application of learned knowledge.

One of the enduring criticisms of experiential education has been the paucity of any scientifically documented outcomes of the benefits of a flexible, adaptable, transparent and fearless work environment to enable the full participation of the graduate in the workplace. According to Wagner (2003), a fearless work environment can be defined as a workplace where risks can be managed effectively. It is also an environment that promotes the making of difficult choices in a timely fashion and a situation which facilitates the development and maintenance of ethical influences. Ideally, it is an environment conducive to creating compelling futures for all involved. In short, it is a more open and collaborative work place.

It has long been recognised that training or education without practical application would not sufficiently equip a person to work effectively in a trade or profession. As Schneider (1910) in Barbeau and Stull (1990) state "there are aspects of every profession that cannot be learned in the classroom, but must be

learned where the profession is practiced…" It is with this in mind that students, employers and professional associations engage in the many undertakings associated with internships in their many forms.

2.2 Internship

The use of the term internship is far from unambiguous and varies according to who is using it and from what perspective. Dodge and Mckeough (2003) caution that it is unsafe to assume an understanding of the intent of any specific term relating to and including "internship" as terms are used both interchangeably, and with distinctly different goals. Internship itself is used to describe anything from an unpaid short term work experience, such as a school might provide for students to experience the world of work, to fixed term government work experiences like medical model of "interning" or "residency" in a medical facility before being licensed to practice. Green (1977) comments that "programs that integrate academic and real-world experience have sprung up – almost overnight – on many high school and college campuses. They are called by a variety of names: cooperative education, field experience, service learning, field work, practicum, externships and apprenticeships. Distinctions among these experiential programs tend to blur when they are examined closely. It quickly becomes evident that each of these terms is defined and applied differently depending on the school and its faculty."

Toncar and Cudmore (2000) states as common as internships were a generation ago, these days have seen an explosion among students and employers alike in the popularity and perceived significance of internship before graduation. In many schools, an internship is considered not as an opportunity but as a necessity, and it is not unusual for highly motivated students to experience several internships in their college careers.

Business Internships programs provide a real world experience and help students learn to think and solve problems and develop their communication skills, which are all critical components of an education (Raymond and McNabb, 1993). Experience continues to be one of the key attributes any entry level professional can offer a prospective employer; internships provide one of the best ways for the ambitious to obtain it. Marketing and other business departments are no exceptions in joining with industry to expand their offering of experiential field internships (Gault, Redington, and Schlager, 2000).

While academics institutions view the workplace as an opportunity to broaden students' perspective and provide a real world laboratory for their academic learning, employers on the other hand take a different view. Interns, for business represents an opportunity to bring in bright and energetic people, to pre-screen for the best and the brightest. However, from an operational perspective, interns offer an opportunity to bring in short term staff to meet high demand periods and for special projects. Acuff (1995) indicates that recruitment at colleges and universities is seen as a major source of new employees in business, technical, professional, sales, administration and other fields. Co-op and intern programs sponsored by colleges and universities are seen by many organisations as being a particularly effective source of new employees, while on the other hand, writing in *Newsweek*, McGinn (1998) reports "some internships are beginning to resemble Club Med…….Driving this frenzy is companies realisation that the way to hire next year's full time employees is to win their hearts this summer." In areas where competition is high for the best graduates, recruitment starts long before graduation. Attractive benefits and salaries entice interns into the organisation, where they have the opportunity to assess the company as a potential employer, and the employer has an opportunity to assess the intern's broad abilities, potential and their fit within the organisation. Far from gratis labour, this type of internship is a manifestation of a vigilant strategic business initiative which combines human resources planning with business plans to identify future needs and complement it with intake of high potential graduates.

A search on the Internet using keywords such as “internship”, “practicum”, or “succession planning” provides a broad range of perspective and opportunities ranging from practical approaches to succession planning including strategic recruitment, to third party organisations sponsoring internships, and of course the multitude of employers offering some type of internship. Many employers offer programs in partnership with academic institutions or provide placements that meet the criteria for co-op education or academically driven internships, but employers are not limited by a need for academic connection. Many employers use internships to develop new talent and provide a pool of “pre-qualified” candidates who have already been assessed.

Academic driven internships are internships initiated by academic institutions as a part of their programs, generally to provide students with an opportunity for practical experience in the workplace related to their field of study. This can be broken into “for credit” and “not for credit” programs. According to Dodge and McKeough (2003:45:55) “for – credit” internships are part of the recognized program of study at many universities. Programs of this type are normally supervised in some fashion by the academic institution and grades assigned or the experience evaluated on a pass/fail basis. Inherent in the “for-credit” model are a host of questions around issues such as supervision by the academic institution, basis for awarding marks and more fundamental questions around the academic credibility of work experience.

Dodge and McKeough (2003:45:55) point out that professional internships apply to professions such as Engineering and Law, where the conduct of the profession is overseen by a professional body that accredits practitioners. The internship is likely to be served with a specific employer, so many of the employer specific benefits such as early recruiting and an opportunity to observe the candidate as well as shaping their professional practice will apply. This category does need to be recognized as something of an extension of the academic internship in that it

is an external body that determines the acceptability of the candidate and their ability to practice quite apart from an employer's assessment of their desirability and competence as an employee.

At most the above information infers that knowledge and skills can be taught separately from the context in which they are applied. More importantly it is assumed that the learning theory is essentially the same in both contexts. The information presented also recognises that theoretical knowledge taught in formal settings is often not useful to learners in the practical setting of work and it involves a number of areas including an understanding of product –related, labour and organizationally – related and social and ecologically –related knowledge(Chappell 2005). The work of Lave and Wenger (1991) extends this theory arguing that learning normally is a function of the activity, culture and context in which it occurs. Learning is thus always situated, involving social interaction, which in workplaces involve learners becoming members of a community of practice. Griffiths (2004) cited in Chappell (2005) researched the ways in which work experience is operationalised and identified five models of work experience. The first model is the Traditional module that assumes that knowledge and skills can be taught separately from the context in which they are applied. The second model identified is the experiential model which suggests that learning must be relevant to the learner with pedagogy using problem-based and inquiry – based approaches. The third model is the Generic model that assumes that all learning, including learning through work experience can be identified and made explicit through the production of learning outcomes. The fourth model is the Work process model which attempts to bridge the gap between learning for work and learning at work. The fifth model is the Connective model that places great emphasis on the influence of context and the organisation of work on students learning and development and therefore the situated nature of workplace learning.

2.3 Employers Expectations of Graduates

At institution level, employers have been pronouncing the need for highly educated and skilled people if their businesses are to be successful in a rapidly evolving, global economy (DTI/CIHE 1990; Brown & Lauder 1992). The majorities of institutions in which graduates are employed have undergone significant change in the last decade and expect organisational structure and strategic objectives to continue to change. Harvey (2000), states that these changes will be prompted by the continuing information revolution, by a growing awareness of the need to be responsive to customers, clients and other stakeholders, and by the need to adopt a worldwide perspective. These changes have impacted on the graduate in four ways, requiring graduates to be associated with unclear jobs, to be more flexible, to be able to work in project teams and being involved in work where there is a lack of clear career progression.

As a result of these changes there is a growing tendency for graduates “to grow jobs” within the organisation structures, beyond fairly narrowly designated sets of tasks, to entirely new roles that anticipate and respond to the constant changes in the world of work. A degree was once a passport into graduate employment and was indicative of a level of knowledge and intellectual ability. Due to organisational changes and the expansion in the number of graduates, this is no longer the case (Harvey 2000, p.5). Many employers are looking for diverse experience, and more and more the graduate’s attributes are becoming more essential in the recruitment process than the graduates degree subject.

Subject specific knowledge is not the primary determinant of suitability for employment in most graduate recruitment, the main exceptions being medicine and engineering. Graduate recruiters want a raft of other skills in additions to a first degree and these override the degree specialism in many areas (CBI 1994, 1995: AGR 1995; CIHE 1996). Similarly, Fisher (1998), commenting on Denmark, noted that employers are also becoming less anxious about the field of

study. What they want are bright graduates and they tend to use grades, rather than subject area, as a first filter. Employers and their representatives consistently say that, to succeed at work, most people in future must develop a range of personal and intellectual attributes beyond those traditionally made explicit in programmes of study in higher educational institutions.

The Association of Graduate Recruiters, a national organisation representing employers who recruit graduates throughout the United Kingdom, states that there are four major skills areas which employers require:

a) Graduates must have general business skills and knowledge, e.g. basic accounting and finance, communication, problem solving and information technology skills

b) Specialist skills in area of chosen discipline
c) Graduates must be a team player. They must possess the ability to work with others in a variety of ways. They must possess skills in management, meetings, negotiations, networking and presentation.

d) Graduates must be able to manage their own career and personal development and take opportunities that organisations may have to offer, whether formal or informal (Employers Expectation of Graduates, Careers and Employment, Swinburne University of Technology , 2006)

There are many lists of skills, attributes or qualities sought in employees. From a survey conducted by Griffith University in Queensland (1995), the attributes employers most sought in graduate employees are , motivation to work , willingness to learn, reliability, teamwork skills, problem solving, oral and written communication skills, ability to plan own work, interpersonal skills, awareness of ethical issues and a good self esteem.

In addition to the above the Legal Aid Board focuses on attributes and skills such as computer skills, knowledge of the organisation, initiative, positive attitude, strong work ethic, well rounded personality, ability to define and solve problems, ability to synthesise information and leadership potential. Law student are exposed to the Legal Aid Board's recruitment and selection processes through its website and open day activities held at universities throughout the country. Herriot (1984) argues that exposure to employers through recruitment and selection processes is one part of a series of social episodes which influence the development of appropriate expectations and inform the early development of individual's psychological contract with the organisation.

While the social and economic world has been transformed in recent years, the employers' expectations of graduates still largely revolve around traditional concerns of the ability to acquire new knowledge and to apply it to workplace scenarios. This to a large extent shifts the employers' expectation as the economy gets more and more sophisticated. To this extent more research is required if further light is to be shed upon the link between the particular attributes of graduates and high quality performance. This is especially true to the legal profession in a developing state. As South Africa develops more and more towards a civil society, the demands for more sophisticated skills, knowledge and competencies will increase.

2.4 Learning in Two Communities

The Legal Graduate undertakes learning in the school environment and the Articles of Clerkship is separated from this learning; unlike other professional learning experience which encompasses experiential learning.

Maistre and Paré (2004) argue that school and workplace are radically different activity systems, with quite distinct objectives, mediational means, rules and division of labour. Therefore this comparison between school learning and

workplace learning is relevant when made between activity in professional schools and activity in their cognate workplace. These different learning environments are even more-so in the education, social work, medicine and occupational therapy fields. Maistre and Paré (2004) state that the chief aim of professional education is to ease the passage into professional practice by recreating it under controlled conditions in schools or in practicum. Artifacts of workplace activities, from technologies to theories, are closely examined in the classroom in anticipation of their deployment on the job, on the assumption that students will carry knowledge gained in schools into workplace context.

This transformation of objects into artifacts, whereby the focus of learning becomes the means of practice, is the critical distinction between school and work, and the very reason transition between the two contexts is frequently difficult. Eraut and de Boulay (2000) cited in Maistre and Paré (2004) argues that programmes for professional formation seldom recognise the learning effort involved in the transfer of knowledge.

Support for transfer is rarely provided, even though trainee and novice professionals are ill-prepared to tackle it on their own. In actuality, the student enters the workplace as a learner, not as a fully-fledged employee, but may undertake real work tasks under supervision.

The historical trend has been to move from providing experience in the workplace to work-based learning as a formal structured programme (Foster and Stephenson, 1998). In the former, expectations of the parties involved are often taken for granted and it is left mainly to the student to seek learning opportunities. The experience is assumed to add something new to the stock of student's knowledge. In the latter, the tendency is to devise specific learning scenarios in the workplace, based upon learning targets defined or negotiated between the Professional Body, the student and the employer. The emphasis is on making close links with the course and enabling deeper and richer understandings of

what practice means. The roles of the parties are defined, learning objectives, processes and measures documented, and support for learning and reflection is put in place.

In the complex situation experienced by most professional workers, the transfer process typically involves five inter-related stages (Eraut, 2002).

1. The extraction of potentially relevant knowledge from the context of its acquisition and previous use;

2. Understanding the new situation, a process often depending upon informal social learning;

3. Recognizing what knowledge and skills are relevant;

4. Transforming them to fit the new situation;

5. Integrating them with other knowledge and skills in order to think / act / communicate in the new situation.

The whole process is much more complicated than just de-situating and re-situating a single piece of knowledge. Eraut (2000) goes on to comment that higher education defines its interest in terms of transferring its knowledge, whose significance is taken for granted; and will at most; attend to stage (1) and (3). The workplace may give some attention to stage (3) and generally takes stage (2) for granted. It expects knowledge from higher education to be “ready to use” and questions it relevance if it is not. Thus, both cultures not only ignore the very considerable challenge of stage (4) and (5) but deny their very existence. Since transfer is a social process as well as an individual process, this lack of preparedness impacts negatively upon the employment relationship. The individual goes into survival mode, which means fight or flight. Wagner (2003),

comments that “fight” means using the stress of the situation as a rational to attack others. Sarcasm, surliness, nasty gossip about individuals and the institution that issues their pay cheques, as well as garden variety rudeness are the choice weapons of engagement. “Flight” translates into defensive behaviours, such as hiding information, slowing down on projects so as to miss deadlines and sudden silence at meetings.

Despite there being more recognition of the need for new learning relationships between education, the workplace and a new agenda for work experience, there has been much less discussion of the extent to which the actual context of work may affect learning and development (Guile and Griffiths, 2001).

Guile and Griffiths (2001) argue that studies of work experience have tended not to address how students, whether engaged in general or vocational education and training programmes, learn and develop through work experience. Instead, they have, rather perpetuated the idea that the actual workplace context within which work experience takes place are stable, unchanging, transparent environments in which student can easily learn and develop.

They further argue that any analysis of work experience should take into account following issues:

1) the different types of contexts (e.g. education and work), different strategies within context and the influence of context on the process of learning;

2) the extent to which students have to learn how to negotiate their learning during work experience;

3) The extent to which students must be supported to relate formal and informal learning, given that knowledge is unevenly distributed in workplaces.

According to Billet (2001) it is necessary to offer an account of learning for work which acknowledges the independence of individuals acting within the interdependence of the social practice of work. Therefore it is not just explicit practices that have to be studied but as suggest by Billet (2001), the positions, nature and actions of the individual learners in relation to those practices also need to be studied. The nature of learners habituates them towards learning opportunities. Different learners perceive the same opportunities differently and react towards them differently, because of their differing nature. In fact, the very character of any opportunities the workplace may offer for learning depends to a certain extent upon the learner's nature. (Hodkinson & Hodkinson, 2004)

According to Billett (2000), the contributions workplaces afford workers learning are through the structuring of learners' access to workplace activities and guidance. How these affordances are constituted in workplaces are shaped by workplace hierarchies, group affiliations, personal relations, workplace cliques and cultural practices, as well as the kinds of activities in which individuals are able to or requested to engage. For that reason workplaces are highly contested and as a result opportunities to participate in workplace activities, that is, to access support and guidance are not always available or not uniformly distributed. Further than opinionating on the learner's competencies, it seems opportunities to participate are distributed on bases including race, gender, employment status and affiliations.

2.5 Graduates Work Expectations

Behavioural researchers are becoming increasingly aware of the importance of work expectations in the employment relationship. Research has demonstrated a direct relationship between the extent to which employee work expectations have been discussed and / or met, and employee tenure, job satisfaction, and job commitment (see for example: Buckley, Veres, Fedor, Wiese, and Carraher, 1998).

Morrison and Robinson (1997) state that many of these studies have focused on the " psychological contract" which can be defined as "a set of beliefs about what each party is entitled to receive and obligated to give, in exchange for another party's contributions" in the work environment. The most remarkable feature of the psychological contract is that the participants' feel a promise was made to meet their expectation even if they never verbalized their expectation to the other person. So being silent about one's expectations is more the rule than the exception.

The question is why don't people discuss their work expectations? Firstly, people generally are not taught to identify and communicate their expectations. Most people become aware of their expectations only after they are disappointed. Secondly, in context of the employment relationship, the need to discuss one's expectation of work is a relatively new phenomenon. It is important employees be able to identify and manage their work expectations. Unspoken and unmet expectations can have a potent, negative impact on work productivity. Even if the expectations were never openly discussed, a failure to have the expectations satisfied can feel like a violation or betrayal to employees (Morrison and Robinson, 1997). Once the violation occurs, the situation can be difficult to rectify. Employees begin to exhibit signs of distrust and emotional detachment from the employer, accompanied by a decrease in productivity. Taken further,

those unmet expectations can lead to an increase in job turnover, argue Turnley and Feldman (1998).

When employees are encouraged to openly discuss their expectations and make frequent updates to their unspoken psychological contract, working relationship becomes more effective. In fact, research shows that the key to managing expectations is that they be spoken. Even if an employee's expectations are not met, having the opportunity to learn why can decrease or eliminate the negative consequences for both the employee and the organization (Turnley and Feldman, 1998).

In conclusion, research and commentary to date suggests that organisational employees' strategies impact on the type of psychological contract that is shaped in the employment relationship. The contracting process begins before the individual even joins the organisation, and may be mediated by expectations and experience whilst still in higher education and is paved in the early stages of the relationship through recruitment and socialisation practices. The traditional corporate view of internships as either a "social responsibility" or a means to "pre-screen potential employees" may miss the inherent value of bringing a young professional into the organisation. The "social responsibility" model, argues Dodge and Mckeough (2003:45:55), sees employers bring interns in as part of the "corporate citizen" role in providing a workplace experience for the intern, or to meet professional certification requirements. The intern brings a fresh perspective, since they have not been a part of the evolution of the corporate culture of the organisation. Exploiting this perspective means empowering the intern to play a meaningful role in the organisation, creating opportunities for them to question the accepted norms of the organisation and thus facilitating a critical reflection on assumptions within the organisation. In an organisation that is serious about exploring new approaches and questioning accepted practices, an intern can provide a useful catalyst to the process.

However, in concluding this review it is pertinent to mention that there are various suggestions about explicitly addressing employability skills in higher education, including the provision of skills modules, the revision of curricula to identify skills elements, the assessment of non-cognitive skills, the incorporation of work experience and the use of 'live projects', in which students work closely with employers to address a 'real-life' concern. Alongside these reviews and suggestions, (Robert & Maycock 1995; Anderson & Gubbay 1997; Atlay 1998) debates whether 'employability 'skills should be embedded in the curriculum or taught in separate units. The core of the debate according to Harvey (2000) is that embedded approaches to skills acquisition give employability skills the same status as knowledge and oblige all lecturers to address them. While "separate units" options ensure that the skills are covered and have competent teachers to teach them (CVCP.DfEE/HEQE 1998b, p. 17; Tait & Godfrey 1999).

In a world of rapid and continuous change and global consciousness, graduates need to be able to help the institutions in which they work, to transform and be responsive within this context. This is only possible if graduates are able to work in a team, communicate well, analyse and synthesise. More importantly the future graduate needs to be self-transformative, which requires reflective and critical abilities (Harvey, 2000). The Legal Aid Board (see appendix "G" and "H"), recognises that the concept of skills has evolved with much greater interest being taken in developing a range of personal capabilities and attitudes, alongside the technical skills required in workplaces. These interventions introduced by the Legal Aid Board, during the Articles of Clerkship, also indicates an understanding that the concept of learning is regarded as an integral and on-going feature of the workplace.

CHAPTER 3
Research Methodology

3.1 Introduction

This research project was initiated to determine the legal graduates' work place expectations and their actual work experience during their Articles of Clerkship. The research methodology was quantitative and the primary data collected described as quantitative. The source for the questions was based on a published survey instrument. This is called the Work Expectation profile, a self assessment instrument developed by Inscape Publishing, Inc, (2001). The instrument is a data bank of dimensions developed to manage graduates work place expectations.

The purpose of this chapter is to explain the research methodology and process followed in this study. The essentials of the research process are discussed henceforth.

3.2 Population and Sample

The population for this study was all law graduates serving their Articles of Clerkship with the Legal Aid Board during 2007. As the survey was confined to the Legal Aid Board and the number in the population was relatively small, the survey was conducted over the total population of Law Graduates serving Articles of Clerkship with the Legal Aid Board / (n=524) during January 2007.

The number of law graduates was divided into two groups. One group represents the law graduates having just commenced their Articles of Clerkship and the other was law graduates having less than twelve months to go before completing their Articles of Clerkship. A total population of 524 was used in this study, of which, 239 law graduates were in the first twelve months of starting their Articles

of Clerkships and 285 had less than twelve months to complete their Articles of Clerkship.

A third dimension of the research was the Law Graduate's immediate supervisor. The survey questions were administered to the supervisors, to determine the employer's experience of supervising the legal graduate serving his / her Articles of Clerkship.

3.3 The Survey

Conducting a survey basically involves obtaining information from a sample of human subjects. According to Dominowski (1980), compared to research in natural settings, surveys differ in four major ways:

1) The person participating in a survey knows that he or she is a subject of study.

2) The subject must agree to participate if data is to be obtained.

3) Participating in a survey represents an interruption of "everyday life."

4) Typically, survey takers strongly limit the possible responses a subject may give and rely heavily upon verbal questions and answers.

Surveys are frequently intended to yield information about everyday behaviour. The survey itself does not involve observations of behaviour. Survey information about behaviour comes from self reports rather than from observation, however, there is the question of the extent to which self-reports accurately represent the behaviour about which the report is made.

The survey on the legal graduates' work place expectations was guided by this concern and taken into consideration in the design.

Collecting of survey data for the research required the cooperation of the legal graduates' serving their Articles of Clerkship. The generality of survey data becomes more suspect as the number of people who choose not to respond increases. In this regard the response rate for the research was high. The fact that the person who responds to a survey is aware of being studied can be partly responsible for failing to obtain data and can lead to other difficulties as well. The accuracy of responses is also related to the person's perception of the source of the survey, its purpose, and the degree of anonymity involved. This was managed by detailed communication to the population group on the purpose and objectives of the survey.

It must be noted that the population for the survey was spread geographically over the nine provinces, and it was therefore deemed prudent to adopt a method with the least amount of lag time. The researcher is employed by the Legal Aid Board as the Employee and Organisational Development Manager and as such was placed in a favourable position to facilitate and manage the survey effectively over the nine provinces. The position has access to information and direct links to Human Resources units in the provinces.

The survey used in the study was questionnaire based. The channel selected for delivering the questionnaire to the managers in the various provinces was via e-mail. E-mail surveys are both very economical and very fast. E-mail access was deemed to be easy and convenient for the managers. The Legal Aid Board provides computer workstations at the workplace with access to the Intranet.

The population was handed hard copies of the survey form by their managers to complete. Studies have demonstrated differences when questionnaires are distributed via different means. When respondents can readily see the

investigator will not be able to determine who filled out which form, they tend to be more candid. Directly distributing and collecting questionnaires so that respondents are well aware the investigator will know which person filled out which form, they tend to be more reticent to give totally honest answers.

In addition, the population tended to frequently check their e-mail and, for this reason, it seemed to be the correct tool to capture the population's attention and to pass on instructions. Due to The Legal Aid Board's National infrastructure, it was certain that the questionnaire would reach the population faster than utilising other survey distribution options.

The survey employed the following design:

1. All legal graduates' serving their Articles of Clerkship was identified as respondents. This information was obtained from the Human Resources payroll system. The sample was comprised of legal gradates having just commenced their Articles of Clerkship and legal graduates having less than twelve months to go before completing their Articles of Clerkship.

2. An initial e-mail was sent to all potential respondents notifying them of the purpose of the survey.
3. An e-mail was sent to all mangers across the Legal Aid Board, with instructions about the survey. Managers were requested to distribute the hard copy of the survey form to:

    3.1 legal graduates in the first 12 months of serving their Articles of Clerkship,

3.2 legal graduates in the last 12 months of serving their Articles of Clerkship, and

3.3 supervisor supervising the Legal graduates during the Articles of Clerkship.

4. Respondents answered the survey and return it to the manager, who in turn, forwarded all completed survey forms to the researcher, at the central office.

5. The researcher coded the data received and conducted the necessary analysis to arrive at a conclusion.

3.4 Research Design Instrument

The source for the questions was based on a published survey instrument. This is called the Work Expectation profile, a self assessment instrument developed by Inscape Publishing, Inc, 2001. The instrument is a data bank of dimension developed to manage graduates work place expectations.

According to Inscape Publishing, Inc. (2001) behavioral researchers are becoming increasingly aware of the importance of work expectations in the employment relationship. Research has demonstrated a direct relationship between the extent to which employee work expectations have been discussed and/or met and employee tenure, job satisfaction, and job commitment (Buckley, Veres, Fedor, Wiese, and Carraher, 1998).The Work Expectations Profile helps respondents to understand and manage their work expectations and to transform their attitude toward work. Respondents rate a series of phrases by importance while considering what they want in their current job. Although the Work Expectations Profile was developed for the graduate to manage his own work place expectations, the use of these dimensions in this research was used to

explore the legal graduates' workplace expectations and to gauge it against their reported work experience.

3.4.1 **Dimension Measured**

The Work Expectations Profile measures ten key areas of expectations as follows:

Structure: Having high expectations about structure means that you want clear instructions regarding what to do, how to do it, and what resources are available to you.

Diversity: Having high expectations about diversity means that you want to work with people from a variety of backgrounds and/or with varied points of view.

Recognition: Having high expectations about recognition means that you want a work environment where good work is acknowledged and rewarded.

Autonomy: Having high expectations about autonomy means that you want to have the independence or freedom to make decisions about how you will do your job.

Environment: Having high expectations about environment means that you see a connection between the social and physical work environment and your well-being.

Expression: Having high expectations about expression means that you want a work environment that allows you to share your opinions and feelings openly.

Teamwork: Having high expectations about teamwork means that you expect collaboration to be a highly valued and commonly used method for reaching work objectives.

Stability: Having high expectations about stability means that you want job security and a work environment that remains relatively unchanged.

Balance: Having high expectations about balance means that you have personal and professional goals and that you want others to understand the importance of all of your commitments.

Career Growth: Having high expectations about career growth means that you want to make progress toward your professional goals

The researcher was aware that the Work Expectations Profile developed by Inscape Publishing, Inc, 2001 was developed for a particular research problem slightly different to that of the present research i.e graduates self management of work expectations. And according to Bless, Higson - Smit and Kagee (2006), the data might also have been based on different operational definitions and little may be known of other possible biases in the data collection, such as sampling biases. However, the researcher took care in the interpretation of the data by adopting an independent and unbiased view in interpretation.

3.4.2 Development of the Instrument

According to Inscape Publishing, Inc. (2001), the Work Expectation Profile development occurred in two phases:

Alpha Research: Item Development

In developing items, the goal was to create a comprehensive list of general (i.e., not job-specific) work expectations. First, a thorough review of academic literature, mass-market books and periodicals, and Web sites was conducted in search of information on employee expectations generally, not specifically for legal graduates and the psychological contract. Twenty categories of work expectations were identified in the literature. Inscape Publishing research staff then developed five items to measure each of the 20 categories. Items were written to be clear, concise, and comprehensive measures of the given category. In total, the alpha version of the response form contained 100 items

Response Format

A five point Likert scale was selected as the response format with 1=not important, 2=slightly important, 3=important, 4=very important and 5=essential

Research Sample

The alpha version of the response form was completed by 964 respondents in the U.S. and Canada. Respondents had to be employed within an organization, as many of the items referred to relationships with either a supervisor or co-workers.

Analysis and Results

Analyses of the alpha research data set were designed to determine how to best categorize and measure work expectations. First the research team had to determine how many scales were involved and their content.

Item responses were submitted to Factor Analysis using the Principal Components Method with Varimax Rotation. An 11-factor solution was selected as the most meaningful.

Next the research team determined which items best measured the given factors. Items were assigned to scales based on their factor loadings (partial correlation of the items with the factors). Items with loadings of .30 or higher were retained for further study. In total, 80 items were retained.

A review of the items in each factor suggested the following labels for the 11 scales: • Structure • Diversity• Recognition • Autonomy• Environment • Expression • Teamwork • Stability• Balance • Career Growth• Compensation

The internal consistency reliability of each of the 11 scales was measured using Cronbach's alpha coefficient. This statistic represents the average correlation between all items on the scale. Alpha coefficients ranged from .72 to .87. (Inscape Publishing, Inc. 2001)

3.4.3 Beta Research: Item Development

As mentioned, 80 items were retained from the alpha response form.
Additional items were written to strengthen the validity of the eleven scales identified in the alpha research. Items were again written to be clear, concise, and comprehensive measures of their intended scales. In total, 33 new items were developed. The beta response form, thus, had a total of 113 items

Response Format

The same response format, a five-point Likert scale measuring importance, was used as in the alpha version

Research Sample

The beta version of the response form was completed by 646 respondents from the U.S. and Canada. Once again, respondents had to be employed with an organization (i.e., not self-employed).

Analyses and Results

Analyses of the beta research data set were designed to identify the best items to comprise the 11 scales and then assess the reliability and validity of the scales. The scales, again, are Structure (SR), Diversity (DV), Recognition (RE), Autonomy (AT), Environment (EN), Expression (EX), Teamwork (TW), Stability (SB), Balance (BA), Career Growth (CG), and Compensation.

Items were selected if they met the following criteria:

- The item distribution was fairly even. In other words, the item was neither deemed too popular (rated very important or essential by more than 70 percent of respondents) nor too unpopular (rated unimportant by more than 70 percent of respondents).

- The item was strongly correlated with its intended scale.

- The item was not significantly correlated with any scale other than its intended scale.

- The item made a unique and significant contribution to the scale.

For the convenience of the respondent, every effort was made to keep the scales short (between five and eight items each). The analyses

demonstrated that all of the compensation items were too popular, thus compensation was important to almost every respondent. As a result, while information on compensation is provided in the *Work Expectations Profile*, compensation is not included as a separate scale or measured in the instrument. All items measuring compensation have been removed from this research design.

3.4.4 Application of the Instrument to Legal Aid Board's sample

For this research not all dimensions were used and the selection of the dimension was directed towards the research questions. The dimensions chosen for this research project was based on the researcher's experience at the Legal Aid Board. The dimensions were used on a group of legal graduates twelve months into their Articles of Clerkship and a different group of legal graduates that had less than twelve months to complete their article of clerkship.

The survey was divided into three parts, presented in a Likert-type format. First, ten statements, with explanatory information assessed the law graduates' work expectations. Secondly, ten statements were directed at the interns to determine their actual experience of the workplace as contributing factors to full participation in the workplace. And lastly, ten statements directed at employers, to learn their expectations of interns.

The first part of the survey was directed to the law graduates who have just commenced their Articles of Clerkship (12 months into the Article of Clerkship). The second part was addressed to the legal graduates about to complete their Articles of Clerkship (Last 12 months of the Article of Clerkship). Thirdly, the last part was directed to employers via supervisors supervising the Candidate Attorney during their Article of Clerkship.

3.5 Survey Administration

Of the traditional survey administration methods, mailed survey requires the greatest field time. The researcher distributed the survey forms to the respondent's managers at his / her work e-mail address during January 2007, by electronic mail. The cover e-mail introduced the researcher, stated the purpose of the study, and concluded by thanking the manager for his assistance in the distribution of the hard copy of the survey form to the respondents.

The research instrument was created in three versions, therefore, requiring three types of cover letters. All respondents were guaranteed confidentiality and the researcher was not informed of individual names.

A reminder e-mail was delivered to the respondents a week after the initials e-mail was sent out. Two weeks after the second e-mail the data collection site was closed and the available data was sent to the researcher. Should there have been a low response; the researcher would have sought the assistance of other employees to encourage the population to complete the survey forms. All completed survey forms was ultimately analysed by the researcher himself.

3.6 Data Analysis

Analytical procedures for qualitative data are quite different from quantitative and will involve coding, identification of themes, iterative analysis and descriptive or theoretical accounts. Quantitative data requires the researcher to answer a number of questions before deciding what form of analysis to use. The first question the researcher must answer is whether the data collected should be considered as parametric or non- parametric. A parametric in this context is a value like a mean, or standard deviation and parametric data is data from which it is possible to calculate these values. It should be emphasized that just because

data is in a numerical form, it does not necessarily mean that it makes sense to calculate these parameters. In order to decide if the data is parametric or not the researcher must be able to make three assumptions about the data with a degree of confidence.

1) The first assumption is that data is obtained from the target population that is normally distributed. Note it is the population and not the sample that should be normally distributed and therefore it is not enough to simply look at the distribution of the sample. Experience with the research topic and knowledge of how this is usually treated, i.e. normally distributed or not, is the best way of examining this assumption.

2) The second assumption is that the data is measured at least on an interval scale. This is an obvious requirement if the data is to be subjected to further numerical analysis.

3) The third assumption is known as homogeneity of variance. This means that the variance or variability in the samples to be compared should be approximately equal. A useful rule of thumb is that the variance of one sample should not be greater than twice the variability of the compared sample.

If all three assumptions are upheld, then the researcher can safely choose a parametric test for the analysis of the data, if there are doubts about any assumptions then it is better to choose a non-parametric test. It is possible to be wrong in choosing a parametric test, because one of the assumptions is flawed; non-parametric tests do not make any assumption and therefore it is not possible to be wrong in this sense. However, non-parametric test are not as powerful as parametric and therefore there is an increased chance of not finding the statistical significant being sought.

A parametric technique was used to dichotomize the responses into a binary variable to facilitate easy of interpretation and enable logistic regression, which allowed the researcher to analyse a favorable variable more intensely, in terms of work expectations and actual work experience. Univeriate logistic regression was performed for each dimension to allow for comparative analysis.

STATA version 9.0 was used to analysis the data obtained from the survey conducted for this project. The data were analyzed to assess work expectations as reported by legal graduates serving their Articles of Clerkship, analyse the work experience as reported by the legal graduates during their Articles of Clerkship and analyse the supervisor's experience as reported by the supervisors' supervising the legal graduate during the Articles of Clerkship.

3.7 Significance of Research

In Justice Vision (2000), it was recognised that the legal profession has to be transformed in order to be able to respond properly to the needs of all the people of South Africa. The main challenges identified were the need to make the legal profession representative of the diversity of South Africa society and the need to make the legal profession more accessible and responsive to the public. With this in mind, it is hoped the finding of the research would add value to the practical vocational training component of the legal discipline by providing vital information with regards to legal graduates' work place expectations and their actual work experience during the Articles of Clerkship.

This research is necessary to identify areas for improvement in designing more effective Articles of Clerkship and creating a platform for further debate and understanding of graduates' expectations and actual work experience during the Articles of Clerkship. These finding would assist the employer to recognise that the legal graduate brings a fresh perspective to the workplace. Understanding

this fresh perspective is vital to the employer, especially since the legal graduate has not been part of the evolution of the corporate culture of the organisation. Failure to understand and embrace these perspectives would ultimately mitigate against the culture of the organisation. Exploiting these perspectives means empowering the legal graduate to play a meaningful role in the organisation by creating opportunities for them to question the accepted norms of the organisation and thus allow the organisation to critically reflect on assumptions within the organisation.

Initially, findings of this study will serve as a recommendation for the Legal Aid Board in terms of organisational development. It is also hoped that these findings will serve as a recommendation to interns, academic programs and employers to better facilitate and manage the Articles of Clerkship, especially as it relates to expectations of both parties. However, internship is an individual experience, attributed to the fact that all the players are individuals. Changes in management and different personality types are just two examples of how the dynamics of an internship experience can vary from person to person (Wildes and Mount, 1997). It is hoped that the major contribution of this research project would be in understanding what needs to be in place to achieve a high level of graduate's responsiveness in context of a rapidly evolving, global economy. The rapidly evolving global economy impacts directly on the Legal Aid Board's core delivery as the disparity of living standard and poverty between the first world and third world countries increases, the burden to ensure justice for all increases for the Legal Aid Board. The increasing indigent population inadvertently creates strain on the Government's funding for the Legal Aid Board to provide its services. For the Legal Aid Board graduates responsiveness is critical from the day they enter the workplace.

3.8 Research Limitations

The survey, another type of non experimental, descriptive study, does not involve direct observation by the researcher. Rather, inferences about behaviour are made from data usually collected via interviews or questionnaires. Interviews or questionnaires commonly include an assortment of forced-choice questions (e.g. true – false) or open-ended questions (e.g. short answer essay) to which subjects are asked to respond. This sort of data collection is sometimes referred to as a self-report.

The major limitation of the survey method is that it relies on a self-report method of data collection. Intentional deception, poor memory, or misunderstanding of the question can all contribute to inaccuracies in the data. Furthermore, this method is descriptive, not explanatory, and, therefore, cannot offer any insights into the cause-and-effect relationship.

The population of the study was limited to the law graduates serving the Articles of Clerkship with the Legal Aid Board, at both ends of the prescribed period. Some of the respondents might have be biased or worried about being identified as they would have recognised the researcher's name. For this reason, it might have affected some of the respondents' responses, although the researcher has no part in their supervision or evaluation but occupies a senior position in the Legal Aid Board.

A common weakness of the survey via questionnaires is security. Without identification, any person happening across the survey can respond (Nesbary, 2000). In other words, there may be no way of identifying the survey respondent in context of the groups. In other cases, some respondents might have submitted their responses twice.

The other significant limitation is the different reasons the original survey was used for. Originally the survey was used for graduates to manage their own work place expectations before entering the work place. The same dimension was

used in this research to gauge the gap between the graduates work place expectation against their actual work place experience. Furthermore the researcher cautions its readers that work expectation were explored twelve months into the Articles of Clerkship. There is definitely a possibility for the expectations to be modified or change during social interaction in the twelve month period into the Articles of Clerkship.

However, the research offers a point of view based on insights from psychology and organisational behaviour rather than economics. It emphasises that employment is a relationship in which mutual obligations of employer and employees may be imprecise but have nevertheless to be respected. The price of failing to fulfill expectations may be serious damage to the relationship and to the organisation.

Chapter 4
Presentation and Analysis of Findings

4.1 Population and Response Rate

During the research period, January 2007, over 500 legal graduates were serving their Articles of Clerkship with the Legal Aid Board. It is the largest point of entry for legal graduates entering the profession. A letter of cooperation was sent out to all Regional Human Resources Managers and Justice Centre Admin Managers on January 15, 2007 by electronic mail. The survey was facilitated in four regions covering the nine provinces as follows:

a) Eastern Cape and Free State (EC&FS)
b) Kopanong (K)
c) Kwazulu Natal and Mpumalanga (KZN/MP)
d) Western Cape , Northern Cape and North West (WC/NC/NW)

On the 17th January 2007 the first survey was sent out to the Justice Centre Admin Managers for distribution to the first category of candidate attorneys, ie candidate attorneys in the first twelve months of the Articles of Clerkship, and 167 responses were obtained, for a return rate of 69.8%. The second survey was sent out on January 22, 2007 by electronic mail, to candidate attorneys in the last twelve months of their Articles of Clerkship, and 138 responses were obtained, for a return rate of 48.4%. The third survey was sent out on January 29, 2007 by electronic mail to the supervisors supervising the candidate attorneys during the Article of Clerkship, and 43 responses were obtained, for a return rate of 73%.

Two responses from both the first and second category were investigated because they were identical. One from each category was deemed unusable and was a copy of the original response. The adjusted return rate for the first category is 69.4% (166 responses) and 48% (137 responses) for the second category.

The total response rate is presented as follows:

Table 1

Total Response Rate from the three categories

Per Region

Region	Legal Graduates in the first 12 month of Article of Clerkship: Expectation		Legal Graduates in the last 12 month of Articles of Clerkship: Experience		Supervisors Experience in supervising the Legal Graduates	
	Population	Response	Population	Response	Population	Response
EC&FS	27	21	52	35	14	12
Kopanong	88	52	70	12	16	10
KZN/MP	66	37	76	38	14	10
WC/NC/NW	58	56	87	52	15	11
	239	166	285	137	59	43
Response Rate	69.4%		48%		73%	

4.2 Respondent Profile

Biographical and demographical data constituted 5 questions, in additions to the questions on the dimensions. The question on “number of years you have been supervising Candidate Attorneys” and the question on “name of the Province the Justice Centre is situated in” is not revealed in this research, but is in the survey to facilitate the management of the survey. Biographical data constitute two questions, gender and age.

4.2.1 Age and Gender of Legal Graduates in the first twelve months of the Articles of Clerkship:

Of the total respondents (166),(refer to Table Two), 34.94% in this category was between the age group 22 to 24 years (4.82% / 22 years, 12.05% / 23 years and 18.07% / 24 years) of whom 46.55% were male and 53.45% constituted females. 109 respondents were between 22 years and 28 years which constituted 65.66% of this category.

At the time of the survey the respondents in this category had spent 7.02 months on average in their internship. 59.64% were males while 40.36 % were females.

4.2.2 Age and Gender of Legal Graduates in the last twelve months of the Articles of Clerkship:

Of the total respondents (137), (refer to Table Three) , 60.59% in this category was between the age group 25 to 29 years (10.22% / 25 years, 17.52% / 26 years, 13.14% / 27 years, 7.30% / 28 years and 12.41% / 29 years) of whom 55.42% were male and 44.58% constituted females. 83 respondents were between 25 years and 29 years which constituted 60.58% of this category.

At the time of the survey the respondents in this category had 5.87 month on average to complete their Articles of Clerkship. 58.39% were males while 41.69 % were females.

4.2.3 Age and Gender of Supervisors' supervising the Legal Graduate during their Articles of Clerkship:

Of the total respondents (43), (refer to Table Four) , 55.81% in this category was between the age group 31 to 37 years of whom 50% were male and 50% constituted females. 24 respondents were between 31 years and 37 years which constituted 51.81% of this category.

At the time of the survey the respondents in this category had spent 4.43 years supervising legal graduates. 65.12% were males while 34.88 % were females.

4.3 Analysis: Descriptive Statistics and Frequency Distribution

The percentage response from 10 questions were tabulated and analysed with a five – point Likert scale by summarizing the percentage into a table from descriptive statistics and frequency distributions. The survey questions for the first category provided a Likert scale for legal graduates to respond to the dimension on their level of expectation of the work place. The survey questions for the second category provided a Likert scale for the legal graduates to respond to the dimension on their level of working experience during their Articles of Clerkship in the work place. The survey questions for the third category provided a Likert scale for supervisors of the legal graduates to respond to the dimensions on their level of experience in supervising the legal graduates during the Articles of Clerkship.

The following illustrates the Likert Scale with corresponding values: (the dimensions explored were the same for all three categories)

Legal Graduates in the first twelve months of their Articles of Clerkship

Description	Not important	Slightly Important	Important	Very Important	Essential
Value	1	2	3	4	5

Legal Graduates in the last twelve month of their Articles of Clerkship

Description	Strongly Disagree	Tend to Agree	Neutral	Tend to Agree	Strongly Agree
Value	1	2	3	4	5

Supervisors supervising the legal graduates during the Articles of Clerkship

Description	Strongly Disagree	Tend to Agree	Neutral	Tend to Agree	Strongly Agree
Value	1	2	3	4	5

4.3.1 Percentage Distribution: Legal Graduates expectation of the work place in the first 12 month of their Articles of Clerkship.

Table 5 illustrates the percentage distribution of the response from the legal graduates in the first 12 month of their Article of Clerkship. In this category, legal graduates' expectations of the workplace, the majority state their expectations were either very important or essential in regards to the statements. The legal graduates indicated the high degree of expectation, 92.17%, with the dimension of career growth.

Of all the statement on expectation of the workplace the legal graduates indicated a high degree of expectation in six statements, rating "essential" were career growth, 66.87%, expression, 50.60%, recognition, 49.40%, structure, 48.80%, balance, 37.95%, and stability at 34.34%.

The dimensions the legal graduate rated “very important” were diversity, 37.35%, environment, 36.14%, autonomy, 31.93%, and teamwork at, 25.90%.

Of all the statement that were rated “important, very important and essential”, the sum rating ranged from 84.34% to 98.19%, indicating very high expectations in all dimensions.

4.3.2 Percentage Distribution: Legal Graduates work experience in the last twelve months of the Articles of Clerkship

Table 6 illustrates the percentage distribution of the responses from the legal graduates in the last 12 months of their Articles of Clerkship. The respondents in this category indicated the highest level of satisfaction, 89.78%, with the dimension of diversity.

Of all the statement on the legal graduate work experienced, three statements were rated “strongly agree. These were, diversity, 52.55%, career growth, 40.15%, and expression at 33.58%. The seven dimensions the respondents rated “tend to agree” were, balance, 40.15%, teamwork, 38.69%,stability,35.77%,structure,34.31%,recognition,29.20%,autonomy,27.74%, and environment, 27.01%**.**

However, 32.85% of the respondents rated “neutral” for dimensions, environment and teamwork. Of the statements that were rated “neutral, tend to agree” and “strongly agree”, the sum rating ranged from 70.81% to 97.81%, indication a high level of agreement with the dimensions. Only 19.71 % of the respondent rated “strongly disagree” for the dimension recognition.

4.3.3 Percentage Distribution: Supervisors Experience in supervising the legal graduates during the Articles of Clerkship

Table 7 illustrates the percentage distribution of the responses from the supervisor's experience in supervising the legal graduate during their article of clerkship. In this category, the supervisor's experience of supervising the legal graduate, the majority indicates a high level of agreement with all the statements. The supervisors indicated the highest degree of agreement (95.35%) with the statement regarding structure.

Of all the statement on supervising the legal graduate, the supervisors' rated "tend to agree" above "strongly agree" in all ten statements. The "tend to agree" highest ratings were career growth, 55.81%, structure, 53.49% and environment, 51.16%.

In this category the dimensions with the lowest rating recorded in the "strongly agree" scale were, environment, 23.26%, balance and autonomy both at 25.58%, and career growth at 27.01%. Overall the dimensions rated "strongly disagree" and "tend to disagree" ranged from 2.33% to 4.66%, while the dimensions with the highest rating in the "Tend to agree" and "Strongly agree" ranged from 67.44% to 95.35%. The rating in the scale "neutral" ranged from 0.00% for the dimension structure to 30.23% for the dimension balance.

4.4 Analysis: Cross Tabs and Logistic Regression

To test for differences between groups, the opinions on each dimension with the three categories were cross – tabulated. The chi-square test is also illustrated to show the significant differences between the groups. The 5% level of significance was used to determine the significant difference in responses to the dimensions between the groups.

Unfortunately, statistical significance numbers do not directly tell us exactly what we want to know. They tell us how likely we would be to get differences between groups in our sample that are as large or lager than those that we see, if there were no differences between the corresponding groups in the population represented by our sample. In other words, these numbers tell us how likely is our data is to the real situation, given the assumptions that there are no differences in the population.

However, in interpreting the results, one must bear in mind the fact that the Likert scale for the first category, Candidate Attorneys with less than 12 month into their Articles of Clerkship, was set in terms of "Not Important to Essential" and in the other two categories as "Strongly Disagree to Strongly Agree. Possible implication is that a direct or liner comparison will skew the results.

A table (as Appendix F - 6.1) will be provided for all the dimensions tested. The analyses will be contained in the main report while the tables are produced as appendices'. For easy of reference, a summary of the cross tabs and logistic regression follow with the analysis.

Table 8

Summary of Results of Logistic Regression

Dimension	Categories	Percentage Favorable (n)	Odds Ratio	p-value
Structure	1- < 12 Months (Expectation)	78.92 (131)	1	-
	2 - > 12 Months (Experience)	62.77 (83)	.4505	0.002
	3 – Employers (Experience)	95.35 (41)	5.4770	0.023
Diversity	1- < 12 Months (Expectation)	66.27 (110)	1	-
	2 - > 12 Months (Experience)	89.78 (123)	4.4747	0.001<p
	3 – Employers (Experience)	88.37 (38)	3.8690	0.007
Recognition	1- < 12 Months (Expectation)	76.51 (127)	1	-
	2 - > 12 Months (Experience)	50.36 (69)	.3116	0.001<p
	3 – Employers (Experience)	83.72 (36)	1.5793	0.312
Autonomy	1- < 12 Months (Expectation)	63.86 (106)	1	-
	2 - > 12 Months (Experience)	51.82 (71)	.6089	0.035
	3 – Employers (Experience)	72.09 (31)	1.4622	0.313
Environment	1- < 12 Months (Expectation)	63.25 (105)	1	-
	2 - > 12 Months (Experience)	57.66 (79)	.7912	0.322
	3 – Employers (Experience)	74.42 (32)	1.6900	0.173
Expression	1- < 12 Months (Expectation)	82.53 (137)	1	-
	2 - > 12 Months (Experience)	63.50 (87)	.3683	0.001<p
	3 – Employers (Experience)	67.44 (29)	.4384	0.032
Teamwork	1- < 12 Months (Expectation)	77.11 (128)	1	-
	2 - > 12 Months (Experience)	59.85 (82)	.4426	0.001<p
	3 – Employers (Experience)	88.37 (38)	2.2562	0.111
Balance	1- < 12 Months (Expectation)	72.29 (120)	1	-
	2 - > 12 Months (Experience)	60.58 (83)	.5891	0.032
	3 – Employers (Experience)	67.44 (29)	.7940	0.532
Career Growth	1- < 12 Months (Expectation)	92.17 (153)	1	-
	2 - > 12 Months (Experience)	78.10 (107)	.3030	0.001<p
	3 – Employers (Experience)	83.72 (36)	.4369	0.101
Stability	1- < 12 Months (Expectation)	57.83 (96)	1	-
	2 - > 12 Months (Experience)	64.23 (88)	1.3095	0.256
	3 – Employers (Experience)	86.05 (37)	4.4965	0.001

Dimension: Structure

In relation to the dimension of structure there is a significant difference between the responses as illustrated by the p value (0.001<p). The logistic regression show that the legal graduates in the last twelve months of their Articles of Clerkship actually experience 55% less of the dimension “structure” than what the legal graduates expected in the first twelve month of the article of clerkship. The dimension “structure” relates to receiving instruction on what to do, how to do it and what resources are available to accomplish this. The legal graduate serving his / her Articles of Clerkship with the Legal Aid Board undergoes intensive training for two months after registering his / her Articles of Clerkship with the South African Law Society. Thereafter he / she services the District Courts throughout his / her article of clerkship. This period is supplemented by Supervisors Court Observation and further training. This is unlike in private practice where the legal graduate spends much more time out of court, learning the ropes from his Principal before performing court work. The demand for state aided quality legal services at the bottom end of the Court hierarchy provides little or no option for the legal graduate to spend a lengthier time outside court fine tuning his / her skills.

There seems to be some contradiction in that the supervisor’s supervising the legal graduate during the article of clerkship indicated that the legal graduate was highly attuned with the dimension of structure. In this high compliance environment driven by legislation and good corporate governance and facilitated by performance contracting, it is possible that the supervisor’s indication of the dimension structure is based on deliverables or outputs rather than a more holistic view of whether or not the graduate is able to unpack issues, reason and add value to what is required of the graduate. It can be further argued that at this end of the complexity work spectrum the candidate attorney is engaged, for the best part of the Articles of Clerkship, in routine work. The nature of the work is

governed by rules and precedents. (See Table 6.1 Appendix F for response comparisons)

Dimension: Diversity

In relation to the dimension of diversity there is significant difference between the responses as illustrated by the p value (0.001<p). The logistic regression analysis shows that the legal graduates in the last twelve months of their article of clerkship actually experience the dimension “Diversity” 347% more positively than what the legal graduate in the first twelve months expected. The dimension “diversity” relates to working with people from a variety of backgrounds and / or with varied points of view. Diversity management forms a integral part of the Legal Aid Board’s Business plan. This finding indicates that the Legal Aid Board recognises the complexities of diversity as a multivariate concept and that to a large extent it forms part of their agenda for better understanding the complexities of productively managing diversity at the work place, through it Organisational Culture Programme. This positive finding is further reinforced by the positive indication of the supervisor’s supervising the legal graduate during the Articles of Clerkship. (See Table 6.2 Appendix F for response comparisons)

Dimension: Recognition

In relation to the dimension of recognition there is significant difference between the responses as illustrated by the p value (0.001<p). The logistic regression analysis shows that the legal graduates in the last twelve months of their article of clerkship experienced less recognition than that which was expected by the legal graduate in the first twelve months of their article of clerkship. The dimension “recognition” relates to working in an environment where good work is acknowledged and rewarded.

As the Legal Aid Board has both an Achiever Awards Programme in place to recognise candidate attorney contribution on a national basis and Performance Bonus System based on agreed deliverables, this finding perhaps indicates that the candidate attorney's focus on this dimension lies in the "soft" areas of recognition, for example " a pat on the back", " job well done". However one cannot discard the observation that the degree of recognition is relative to the value of the activity and as such this finding indicates that both, the legal graduate and the employer, perhaps, places different perception and values on the Articles of Clerkship. For example, the legal graduates may see the Articles of Clerkship as a progression towards their professional goals and thus place more value on this period, while the employer could be looking at the Articles of Clerkship as a short term contract work which adds little value to the overall organisational performance. This also open the discussion on whether or not the employer facilitate the Articles of Clerkship as a social conscious initiative and not necessary as a business imperative. There is also the possibility that the recognition expectation of the legal graduate is overstated and more aligned to private organisations that are largely profit driven rather than government funded institutions focusing on socio-economic issues. (See Table 6.3 Appendix F for response comparisons)

Dimension: Autonomy

In relation to the dimension of autonomy there is significant difference between the responses as illustrated by the p value ($0.001<p$). The logistic regression analysis shows that the legal graduate in the last twelve months of their article of clerkship experienced the dimension "Autonomy" 40% less favorable than what was expected by the legal graduate in the first twelve months of their article of clerkship.

Autonomy in the workplace is having the independence or freedom to make decisions about how you will do your job. This needs to be seen in the context of

the Articles of Clerkship which is driven by experiential learning where the legal graduate is yet to be an expert in his/ her field, therefore having little or no control about the degree of autonomy experienced in the workplace, especially during the Articles of Clerkship. In a developing state, like South Africa, the District courts carry the bulk of the case load due to the nature of the contraventions in a rule based society. If the majority of the cases dealt with by the Legal Aid Board are conducted at the District Courts, then this would have a great impact on the candidate attorney's sense of autonomy due to the case load allocated to him/her. Furthermore the candidate attorney performs 90% of his/her work in a rule based environment and therefore has little or no autonomy over their work. See Table 6.4 Appendix for response comparisons.

Dimension: Environment

In relation to the dimension of environment there is no significant difference between the responses and this is further confirmed by the p values (0.322 and 0.173) derived via the logistic regression analysis. The dimension on environment deals with making the connection between the social and physical work environment and the interns well being. The Articles of Clerkship is facilitated in a professional work environment and it is possible that the connection between social and physical work environment with the well being of the individual is taken for granted or assumed to be connected, while in fact it is not the case. In most generic career streams, to make the connection between social and physical work environment with the well being of the individual, is untimely in early stages of work. This balance only starts concretizing itself later in ones career development as one plots a distinct career path. However, in the case of the candidate attorney, the decision to become a legal professional is made in terms of following a professional career path and therefore making this connection will largely depend on the candidate attorney's sense of autonomy, which is inherent in any professional career. If this sense of autonomy is far below expectation, as indicated above, then making the connection between

social and physical work environment with their well being would be an extreme challenge. (See Table 6.5 Appendix F for response comparisons)

Dimension: Expression

In relation to the dimension of expression there is a significant difference between the responses as illustrated by the p value ((0.001<p). The logistic regression analysis shows that the legal graduate in the last twelve months of their article of clerkship experienced the dimension “Expression” far less favorable than the expectation of the legal graduates in the first twelve months of their article of clerkship. This dimension relates to the sharing of opinions and feelings openly.

Serving ones article of clerkship in a high performing environment is conducive to opportunities for the parties to engage with one and another for operational issues and hardly for developmental issues. During the Articles of Clerkship, the legal graduate is full time servicing the District Courts and the only area for expression would be the court which is highly regulated by Court rules and conduct. However, the candidate attorney does not operate in a vacuum; he/she is under constant supervision. Therefore it is imperative that further investigation takes place regarding the nature of the supervision to determine whether it is highly functional, and if so, what opportunities exist to develop these supervision interactions into a more holistic and developmental activity. (See Table 6.6 Appendix F for response comparisons)

Dimension: Teamwork

In relation to the dimension of teamwork there is a significant difference between the responses as illustrated by the p value ((0.001<p). The logistic regression

analysis shows that the legal graduate in the last twelve months of their Article of Clerkship experienced the dimension “Teamwork” far less favorable than the expectation of the legal graduate in the first twelve months of their Article of Clerkship. The dimension “teamwork” relates to collaboration to be highly valued as a commonly used method of reaching work objectives. The legal graduate indicates that collaboration was not highly valued and not the commonly used methods for reaching work objectives, contrary to the supervisor’s indication. The supervisors, being compliance driven are more output focused, while the legal graduates seem to be more concerned with the process of achieving results. Inclusiveness and teamwork in a high performing environment driven by deadlines, is a luxury that is not afforded to all levels of employment, especially at the bottom end where single loop learning is the order of the day. This is contrary to the development of a critical and reflective professional mind. However the degree of case complexity in the legal professions encourages teamwork and this is more predominant in the higher courts, rather than the domestic courts. (See Table 6.7 Appendix for response comparisons)

Dimension: Balance

In relation to the dimension of balance there is no significant difference between the responses as illustrated by the p value (Pr =0.097), The dimension balance relates to the understanding of the candidate attorney’s importance and commitments in terms of his/her personal and professional goals. Further analysis using logistic regression was ignored.

Dimension: Career Growth

In relation to the dimension of career growth there is a significant difference between the responses as illustrated by the p value ((0.001<p). The logistic regression analysis shows that the legal graduate in the last twelve months of

their article of clerkship experienced the dimension “Career Growth” far less favorably than the expectations of the legal graduate in the first twelve months of their article of clerkship. The dimension “career growth” relates to making progress towards professional goals. The Articles of Clerkship occupies a specific time period in the career path of the legal graduate. It is only after completion of the Articles of Clerkship that the legal graduate can practice as a professional. In the Legal Aid Board all posts at the next level to the article of clerkship is post bound. There is no automatic progression to the next level. Candidate Attorneys would have to apply for a vacant post to progress to the next level of employment. Therefore the Articles of Clerkship is facilitated with no long term guarantees; it is an expressed undertaking that the Articles of Clerkship will be for a specific period. Furthermore in context of this response it must be borne in mind that the legal graduate’s expectation was explored twelve months into the Articles of Clerkship, therefore there is a possibility for the expectation to be modified with continued social interaction in the workplace. However there could be another important indication in terms of confidence levels to practice as a legal professional. Are the candidate attorneys getting enough experience or do they perceive that the Articles of Clerkship at the Legal Aid Board does not adequately prepare them for future legal practice? This would be a question for further research. (See Table 6.9 Appendix F for response comparisons)

Dimension: Stability

In relation to the dimension of stability there is a significant difference between the responses as illustrated by the p value ((0.001<p). The logistic regression analysis shows that the legal graduate in the last twelve months of their article of clerkship experienced stability in the workplace far more positively than the expectations of the legal graduate during the first twelve months of their article of clerkship. The dimension “stability” relates to job security and a work environment that remains relatively unchanged. This positive finding is elicited towards the end of the Articles of Clerkship. Realisation of the end in sight would serve as one of the drivers that would negate experiences of actual changes and

challenges in the work environment. The supervisors indicated that the legal graduate coped well with changes in the work place. This indicates a general acceptance or realisation that the period of clerkship is part of the bigger picture and has to be completed in order to achieve their professional goals.

In summary it must be noted that the legal graduates work place expectations were explored twelve months into the Articles of Clerkship and this would have been mitigated or exacerbated by the social interaction at the workplace or lack thereof during this period. The dimensions of structure, recognition, autonomy, expression, teamwork and career growth were experienced less favorably than was initially expected. A longitudinal study would have been more appropriate as the impact of this could be further explored to determine the effect on their professional practice, if any. The supervisors experienced the dimensions of structure, recognition, autonomy, teamwork, and stability more favourably than the legal graduate's expectations on the dimensions. It is however clear that the process in achieving results is where learning and development takes place which is important to the legal graduate, rather than the results itself which obviously favors the supervisor's perspective, nevertheless the gap between the legal graduates' and supervisors' responses indicates areas of concern and would inform further interrogation.

While the findings suggest a reasonably high level of congruence between the initial expectations of the legal graduates during the first twelve months into the article of clerkship and that of the supervisors supervising the legal graduate during Articles of Clerkship, a number of areas were identified where expectations have been underestimated. Arguably, the most notable feature to emerge from the study is the apparent concerns relating to the legal graduates experiencing very low independence and freedom to make decisions about how to execute their job, that acknowledgement and reward of good work was seriously lacking, that they were not able to share their opinions and feelings openly and that their commitments in terms of their personal and professional

goals were not fully understood and experienced by others. The implications of these findings are discussed in the final section, chapter 5.

Chapter 5
Conclusion and Recommendations

5.1 Dialogue on Findings

5.1.1 Legal Graduates Expectations as report by the legal graduates during the first twelve months of the Articles of Clerkship

The purpose of presenting data form a regional perspective was to determine if there are any noticeable differences in expectations. The survey was administered in Justice Centres located in four geographical regions, as follows:

Table 9

Survey Location

Region	Description	Number of Justice Centres
1	Western Cape, Northern Cape and North West	14
2	Kwazulu Natal and Mpumalanga	14
3	Kopanong	15
4	Eastern Cape and Free State	14

The table 10 below summarises the mean score of the respondent's, from the four regions, expectation of the workplace. It also depicts the total mean of each dimension.

Table 10

Regional Mean: Legal Graduate's Work Expectations in the first twelve month of the Articles of Clerkship

Dimensions	Regional Mean				Total Mean
	WC/NC /NW	KZN MP	KOPA NONG	EC FS	
Structure : Having High Expectations about structure means that you want clear instructions regarding what to do, how to do it and what resources are available to you	4.4	4.2	4.1	4.2	4.2
Diversity : Having high expectations about Diversity means that you want to work with people from a variety of backgrounds and / or with varied points of view	3.9	3.7	3.8	3.7	3.8
Recognition : Having high expectation about recognition means that you want a work environment where good work is acknowledged and rewarded	4.4	4.0	4.3	4.1	4.2
Autonomy : Having high expectations about autonomy means that you want to have the independence or freedom to make decisions about how you will do your job	4.0	3.7	3.8	3.8	3.8
Environment : Having high expectation about environment means that you see a connection between the social and physical work environment and your well being	4.0	3.6	3.7	4.0	3.8
Expression : Having high expectation about expression means that you want a work environment that allows you to share your opinions and feelings openly	4.4	4.1	4.3	4.3	4.3
Teamwork : Having high expectations about teamwork means that you expect collaboration to be highly valued and is a commonly used method for reaching work objectives	4.4	4.1	4.2	4.2	4.2
Balance : Having high expectations for balance means that you have personal and professional goals and that you want others to understand	4.3	3.7	3.7	4.4	4.0
Career Growth : Having high expectations about career growth means that you want to make progress towards your professional goals	4.6	4.4	4.7	4.6	4.6
Stability : Having high expectations about stability means that you want job security and a work environment that remains relatively unchanged	3.8	3.8	3.0	4.2	3.7
Total	4.2	3.9	4.0	4.2	4.1

The total mean for all four regions does not indicated any noticeable differences in work expectation, however the data indicate a high level of expectation with structure, recognition, expression, teamwork, balance and career growth, across the four regions. The legal graduates' actual experience in these dimension are noted as follows: structure 55% less favorable, recognition 69% less favorable, expression 63% less favorable, teamwork 66% less favorable and career growth 70% less favorable. The Articles of Clerkship is designed to be a relatively short period of practical exposure for certification to lead to professional practice. Given this model, it is debatable whether these expectations are sourced within the scope of the Articles of Clerkship or if it is in relation to future professional practice. The writer is of the view that it is framed in relation to future professional practice and that these expectation are not modified by the limitation and scope of the Articles of Clerkship. Many graduates formulated pictures in their mind of the scheme and what they want to be involved in. The higher education curriculum does not explicitly prepare them for daily work in the workplace. Most of the time these expectations are so intimately linked to the graduate's concept of work that they often go unspoken and therefore unacknowledged. However, any one of these issues can be significant for an individual. Put together, they can create a strong feeling of insecurity although this can be placated by the graduate's desire to learn, to work hard and to prove themselves in this new environment.

In comparing the total mean of legal graduate's expectation of the workplace, the highest degree of expectation was "career growth: 4.6", followed by "expression: 4.3". While the lowest total mean indicated were "stability: 3.7". While the actual experience of the legal graduates' were recorded as, career growth 70% less favorable, expression 63% less favorable and stability 30% more positively. Wanting to make progress towards your professional goals and at the same time having the leverage to share your opinions and feelings openly is a norm for all graduates, however, one needs to align this to specific environments. The reality is that the Articles of Clerkship in certain environments are limiting in the scope of

experience that one is exposed to, especially in the Legal Aid Board. Ninety percent of the cases dealt with the interns are conducted in the District Court and are predominantly criminal cases. In environments where the Articles of Clerkship is more a means to an end, expectations lead to frustration and disappointment.

Importantly the lowest mean of 3.7, which is “Stability: having a high expectation of stability means that you want job security and a work environment that remains relatively unchanged” is in fact a reality as employment is only guaranteed for the period of the Article of Clerkship which is two years. It indicates a strong sense of awareness and a realistic expectation.

The expectation of the legal graduate was largely found to be relatively higher than their actual experiences of the dimensions tested. This is so because the experience of the legal graduate was facilitated by the employer in isolation of the graduates’ expectations. In any relationship between two individuals there is an exchange, a giving and a gain of something by both the parties. It is the nature of this exchange that distinguishes itself and goes beyond the nature of the legal contract of employment. Levinson, Price, Munden, Mandl, and Solley (1962:21), defines the psychological contract as “a series of mutual expectations of which the parties to the relationship may not themselves be dimly aware but which nonetheless govern their relationship to each other” (p21). Each side to the psychological contract tacitly agrees to the other side’s expectation. The challenge is that these mutual expectations are largely implicit and unspoken and they frequently put at risk the relationship of the person and the company. However, these expectations were explored twelve months into the Articles of Clerkship and one would reasonably expect that these expectation to be modified by social interaction. If a reasonable assumption of modification took place then it is highly probably that the expectations of the legal graduates were much more elevated before entering the workplace. If this is not the case then it must be

assumed that the social interaction at the workplace did not impact on the graduates' expectation at all.

5.1.2 Legal Graduates Actual Work Experience as reported by the legal graduates during the last twelve month of their Articles of Clerkship

The table 11 (page 70) presents the mean scores of the respondents' experience. These respondents are in the last 12 months of their Article of Clerkship. It also depicts the total mean of each dimension.

Table 11

Regional Mean: Legal Graduates Actual Work Experience explored in the last twelve months on the Articles of Clerkship

Dimensions	Regional Mean				Total Mean
	WC/NC/NW	KZNMP	KOPANONG	ECFS	
Structure : I received clear instructions regarding what to do, how to do it and what resources are available to me	3.5	3.9	4.2	3.6	3.8
Diversity : I worked with people from a variety of backgrounds and /or with varied points of view	4.4	4.5	4.2	4.3	4.4
Recognition: I worked in an environment where good work is acknowledged and rewarded	3.1	3.3	4.3	3.0	3.4
Autonomy : I had the independence or freedom to make decisions about how I did my job	3.3	3.5	3.8	3.3	3.5
Environment : I have seen the connection between the social and physical work environment and my well being	3.5	3.8	4.5	3.8	3.9
Expression: I was able to share my opinions and feelings openly	3.6	3.6	4.6	3.7	3.9
Teamwork : I found collaboration to be highly valued as a commonly used method for reaching work objectives	3.5	3.7	4.3	3.8	3.8
Balance : The importance and my commitments in terms of my personal and professional goals were understood by others	3.5	3.6	4.0	3.6	3.7
Career Growth : I was able to make progress towards my professional goals	3.8	4.2	4.6	4.2	4.2
Stability : I was able to make progress towards my professional goals	3.8	3.6	3.5	3.7	3.7
Total	3.6	3.8	4.2	3.7	3.8

The total mean for all four regions does not indicated any noticeable differences in work experience, however the data indicates

The highest degree of satisfaction with the workplace were “career growth: 4.2”, followed by “diversity: 4.4”. While the lowest total mean indicated were

“recognition: 3.4”. Importantly the lowest mean of 3.4, was “Recognition: I worked in an environment where good work is acknowledged and rewarded” was in fact a reality and a general concern in the Justice Cluster, during the time of the survey. In order to retain legal qualified personnel the Department of Public Service initiated occupation specific salary dispensation in order to retain professionals in government. (PSCBC Resolution 1 of 2007). Recognition may be linked to more explicit expectation having to do with job performance, the use of specific skills, social relations in the work place, job security and economic rewards.

Although career growth was recorded as the highest degree of satisfaction it must be noted that in relation with their initial expectations the legal graduate experienced this dimension 70% less favorably. However, it is an important indication that the Articles of Clerkship as structure by the Legal Aid Board is regimented and successful in preparing the candidate attorney for certification. Linking this response back to the biographical data it is evident that this group of respondents may accord with values prevalent with values as identify with members of the so called “Generation X”. Members of this generation are said to favour increased self reliance and want to create “self – based” career security (Tulgan, 1996). This seems to infer a greater practice of career self – management behaviours. If this group of respondents shares the values of Generation X, then one would anticipate that they might possess a more realistic attitude to organisational career management. Then why the high level of expectations regarding this dimension? According to Sturges, Jane, David and Davey, Mackenzie (2000), expectations of training and development have been highest at the start of the career, and are shown to have an important impact on organisational commitment at this stage. Individuals are better able to practice career self management at a later stage once they have gone through the process of socialisation and are familiar with the ways in which organisational life operates. Promotions and other extrinsic rewards are also more likely to have a positive effect on commitment later in the career.

The management of one's professional aspirations in the future should be based on collaboration between the employer and the graduate. The responsibility for developing the profession should not be placed exclusively on the organisation or on the graduate. Both have important roles to play in facilitating its development. This development must be shared between both parties, if graduate commitment for the organisation and profitable career development for the individual are to be achieved.

5.1.3 The Supervisors' experience in supervising the legal graduates as reported by the Supervisors

The table 12 (page 73) presents the mean score of the respondent's, from the four regions, actual supervision experience. These respondents are supervisors that supervise the legal graduate during the Article of Clerkship. It also depicts the total mean of each dimension.

Table 12

Regional Mean: Supervisors Experience in

Supervising the legal graduate during their Article of Clerkship

Dimensions	Regional Mean				Total Mean
	WC/NC/NW	KZNMP	KOPANONG	ECFS	
Structure : The Candidate Attorney was able to received clear instructions on what to do, how to do it and was able to utilise the resources are available to him/her	4.4	4.5	4.2	4.2	4.3
Diversity: The Candidate Attorney was able to work with people from a variety of backgrounds.	4.1	4.4	3.8	4.5	4.2
Recognition : The Candidate Attorney's level of performance was good	4.4	3.9	3.8	4.3	4.1
Autonomy: The Candidate Attorney used independence and freedom to make decisions about how he/she did their job.	4.0	4.0	3.6	4.2	4.0
Environment : The Candidate Attorney made the connections between the social and physical work environment and his/her well being	4.1	4.0	3.5	4.1	3.9
Expression : The Candidate Attorney shared his/her feelings openly	3.8	4.2	3.5	4.1	3.9
Teamwork : The Candidate Attorney was a team player	4.2	4.3	3.9	4.6	4.3
Balance : The Candidate Attorney was well balanced in term of his/her personal and professional goals	3.4	4.2	3.7	4.3	3.9
Career Growth : The Candidate Attorney took the opportunities available to progress towards his/her professional goals	3.9	4.2	3.9	4.3	4.1
Stability: The Candidate Attorney was able to adapt to change.	4.1	4.5	3,7	4.6	4.2
Total	4.0	4.3	3.8	4.3	4.1

The supervisors supervising the legal graduates indicate that the legal graduates were able to meet their expectation in regard to structure, diversity, recognition, autonomy, teamwork, career growth and stability. The supervisors' were "neutral" in respect of environment, expression and balance. These indications by the

supervisors are in conflict with the responses from the legal graduate in general. This once again brings out the different perceptions towards the article of clerkship. The Candidate Attorney views the Articles of Clerkship as a conduit to their professional goals, while supervisor views it as another delivery mechanism to achieve core business needs.

In conclusion, it is noted that the legal graduates' initial expectation of the work place was different from their actual experience in the workplace. Furthermore, the supervisors rated the legal graduates highly on dimension that in some cases they did not have high expectations of, nor did they experience have high level of satisfaction.

Some important issues need to be noted here:

While substantial benefits accrue when worker and employer perspectives are in agreement, mutuality cannot be assumed, and fulfillment of both sides of the relationship is a work in progress over time Opposing responses from the legal graduate and the supervisors conforms to the well established availability bias, where parties to a relationship are better able to recall their own contribution than those of their partners, because expectations have a powerful impact on the emotions, behaviours, and most importantly in performances According to Tversky, and Kahneman (1973), the availability heuristic is rule of thumb, where people base their prediction of the frequency of an event or the proportion within a population based on how easily an example or the vividness and the emotional impact of that example becomes more credible than actual statistical probability.

(a) The legal graduates experience seems to be conditioned by unrealistic expectations developed before entering the world of work. The graduate's perception of 18 years of education and preparation for the job, unrealistic recruitment brochures and processes can build up expectation to unrealistic levels. This is also indicative of the

mismatch between what employers appear to want and what higher education provides.

(b) The difference between the work expectation and actual work experience may be due to different conceptualization of the tenure of employment. The graduates may view their Articles of Clerkship as a gateway to professional practice and therefore place much value on it, even though completion of the Articles of Clerkship could lead to a permanent job with the same employer. Employers may also view it as a short term contractual obligation done purely out of social conscious and to fulfill urgent operational needs.

Another reason for the large mismatch between work expectation and actual work experience may be due to the different time frames – the survey explored the work expectation of the legal graduate twelve months into the Articles of Clerkship and not before the Articles of Clerkship. There is also the possibility that with social interaction with permanent professional legal graduates whom have completed their Articles of Clerkship, the legal graduates initial work expectation could have been increased.

5.2 Implication and Suggestions

The implications and suggestions are discussed in terms of identifying areas for improvement in the Articles of Clerkship.

At first glance, an internship (Articles of Clerkship) and an entry – level job appear to have many things in common. However, there are some important differences. Entry–level employees are often trained and expected to complete work tasks with little or no supervision after an initial training period. Interns, on the other hand, require mentoring and on-going coaching to ensure that meaningful learning is taking place on a continuous basis. This strategy tends to backfire for all parties, when there is no alignment between work expectations and actual work experience. Interns become frustrated and unhappy when they discover that their expectations are not being met to enhance their career aspirations. Graduates tend to share their experience with others, resulting in a bad reputation for the employer and make it highly unlikely that the employer will be able to recruit top candidates in the future. In the South African context, the graduate recruitment pool is much larger than the economic demand and as a result the very best of graduates will venture towards being recruited by the best companies to work for.

Implication for the Interns (Legal Graduates)

The study was based on the work expectation of the legal graduate. The work expectations were explored twelve months into the Articles of Clerkship. This expectation is largely constituted by, intermediary experience, word of mouth, via academia, and self knowledge. Notwithstanding the genesis of this expectation it is evident that the expectation is acutely aligned with the graduates' professional goals. However, it must be borne in mind that this expectation of the workplace is developed outside the workplace in most cases and in isolation of the future employer that provides the internship. In context of the employment relationship,

the need to discuss one's expectations of work is extremely vital to the transfer of knowledge. It is important for interns to be able to identify and manage their work expectations. Graham and McKenzie (1994) states that these feelings of uncertainty can be reduced by allowing both parties to get to know each other at the point of recruitment, by being realistic about job opportunities and also by allowing one on one interaction with existing employees. Unspoken and unmet expectations can have a potent, negative impact on work productivity. Even if the expectations were never openly discussed, a failure to have the expectations satisfied can feel like a violation or betrayal to interns (Morrison and Robinson, 1997).

Table 13 illustrates the degree of dissatisfaction via mean scores and not actual individual scores. (See table on percentage distributions). In 80% of the dimension tested the degree of expectation was much higher than the actual experience. This can be attributed to the unspoken contract that exists in the employment relationship. In fact the most remarkable feature of the psychological contract, according to Rousseau (1995) is that participants' feels that a promise was made to meet their expectations even if they never verbalise their expectations to the other person. The exposure and training in academia may have given the legal graduates unrealistic expectations, as nowhere in their academic period are they exposed to the workplace as real as the Articles of Clerkship, however, they tend to take on part time temporary work in other disciplines.

Table 13

Legal Graduates Work Expectation in the first twelve month of the Articles of Clerkship

Against Actual Work Experience: mean score

Dimensions	Legal Graduates' Expectations	Legal Graduates' Experience
Structure	4.2	3.8
Diversity	3.8	4.4
Recognition	4.2	3.4
Autonomy	3.8	3.5
Environment	3.8	3.9
Expression	4.3	3.9
Teamwork	4.2	3.8
Balance	4.0	3.7
Career Growth	4.6	4.2
Stability	3.7	3.7

In order for the graduate to prepare for the internship, Inscape Publishing, Inc. (2001), suggest that the following pertinent questions need to be considered by the graduate:

1) What are your specific career interests?

2) What do you hope to gain from an internship?

3) What type of organisations will best serve your needs?

4) What sector of your professional discipline will maximise you benefiting from an internship?

5) To what extent does the workplace elements constitute your expectation and to what degree?

Graduates will have to realise that there will be a period of transition as they move from higher education into employment. It will best serve them by internalizing their expectations and differentiating between their needs and wants. Having done this a process of alignment need to be conducted in order for them to safely and effectively test these expectations to determine how responsive the market is in satisfying their expectation. This gap must allow for further refinement of their expectations.

The academic curriculum is not designed to run parallel to the dynamics of the economy. It is rigid and set for the study period. Given this scenario it becomes the responsibility of the graduate to test for relevance between what learning is taking place against the needs of the economy on a continuous basis. It might mean that the graduates acquiring new skills and knowledge outside the academic curriculum in order to be relevant to economic demands.

The above suggestions should assist with the graduate pre - internship preparation. This will largely contribute to the graduate developing more realistic expectation.

Implication for the Employer

In comparing the mean score of the supervisors supervising the candidate attorneys during their internship to the actual experience of the legal graduate it is evident that certain degrees of tension exist. This tension is largely due to the unspoken nature of the psychological contract.

However, looking at the mean score of the employers experience and that of the legal graduates' experience, (see Table 14, p82), all dimensions from both

categories of respondents are above “neutral”. This suggests that the Legal Aid Board’s internship programme is designed effectively. A closer look of Table 14 reveals that the degree of focus or importance place on the dimensions is not the same. This can be attributed to pursuing different goals. One party is career focused and therefore all elements are strongly professional goal focused. While the other party operates the internship within a bigger picture and is more delivery focus. These varying degrees of focus ultimately impacts on the internship as the balance of power lies with the host. Operational requirements are the order of the day in any business, and it would be obvious for the performance contact to reflect such focus. The performance contact applicable during the Articles of Clerkship should reflect a greater focus on developmental issues and skills transfer mechanism that will facilitate the achievement of the legal graduate’s professional goals than the operational needs of the organisation. This would be a practical challenge with huge financial implications for the Legal Aid Board.

The internship is seen as part of the day to day operations of the organisation, while the intern sees the internship as a progressive step towards his/ her professional goal. The common grounds for both the parties are that the internship is a transition phase. It is important for the employer to recognise that the intern brings a fresh perspective, since they have not been a part of the evolution of the corporate culture of the organisation. Exploiting this perspective means empowering the intern to play a meaningful role in the organisation. Crafting opportunities for the interns to interrogate the accepted norms of the organisation allow the organisation to critically reflect on assumptions within the organisation. Bringing new ideas from the legal graduates’ academic experience provides opportunities to consider new ways of doing business within the organisation.

The fine fusion of both the Traditional and Generic models of work experiences as discussed in the literature review, seem to be evident in the Legal Aid Board.

Given the finding of this research project, the Legal Aid Board would provide much greater value to the graduates if it moves more towards the Work process model. The distinguishing characteristic of this model is that it draws attention to the importance of situating work practices in the actual context of the labour process by not only addressing the development of specific work related tasks and activities, but also by developing an understanding of the actual work context (Chappell 2005).

Table 14

Legal Graduates work experience

Against the Supervisor's experience: mean score

Dimensions	Legal Graduates' Work Experience	Employers Experience
Structure	4.3	3.8
Diversity	4.2	4.4
Recognition	4.1	3.4
Autonomy 4	4.0	3.5
Environment	3.9	3.9
Expression	3.9	3.9
Teamwork	4.3	3.8
Balance	3.9	3.7
Career Growth	4.1	4.2
Stability	4.2	3.7

It is interesting to note that the supervisor's perception on the legal graduates' work experience, in relation to some dimensions, is much lower than the legal graduates own satisfaction level. The supervisors view is sourced from an operational context, which is conditioned by performance met and deliverables achieved. By implication it means that although the legal graduates' expectations

far exceeded their actual work experience, their performance during the period of the article was not prejudiced by their emotions and behaviour arising out of unmet expectations. Further research needs to be conducted in order to determine if there are any similarities and whether unmet expectations prejudices work performance in compulsory internship for certification to practice professionally, these should include but not be limited to the doctor's internship, accountant's articles and the legal article of clerkship.

In conclusion, utilising interns in the organisation can result in many benefits. Dodge and Mckeough (2003:45:55), argues that for too long the emphasis has been on internships as an exchange of experience for short term work. In today's changing economy, interns can be a critical advantage. They can examine and help improve existing approaches and identify new products, services and means of delivery. Employers would do well to use internship opportunities as a means to examine existing assumptions and explore new opportunities, rather than an obligation to teach young professionals to be like current staff. In consumer oriented organisations or the public sector, interns represent the emerging market and the new clientele, and thus are well positioned to provide insight into the needs and priorities of that group.

5.3 Recommendation for Future Research

As this is not a longitudinal study the researcher suggests that a longitudinal study is undertaken. The researcher is of the belief that the recommendations below coupled with further investigation will provide a holistic view of the legal graduate's Articles of Clerkship and add particular value to the transformation agenda of the legal discipline. In this context the following suggestions should be considered for future research:

1) Immediate follow up with focus groups and interviews to unpack the concern identified in the findings.

2) A longitudinal study to determine the impact of managed work expectations with work experience during the Articles of Clerkship on professional practice on a sample of graduates serving their Articles of Clerkship across the legal fraternity. It is assumed that the recruitment process is followed by a comprehensive orientation programme inclusive of identifying both parties' expectations and plans on how to address these expectations.

3) The research should be conducted over the nine provinces. This will aid with assessing expectations of the legal graduate from the various tertiary institutions. Legal curricula can then be compared and adjusted to equip the legal graduate for full work participation.

4) Impact analysis of the quality of the internship should be measured against the practical examinations, as many candidate attorneys battle with the practical examinations. This could be a good indicator of the effectiveness of the Articles of Clerkship and what actually happens at the workplace. This will also serve as an indicator of quality legal services.

5) The study should inquire into the constructs of the internship in terms of how it is aligned to the professional goal of the legal graduate. This should serve as a good indicator of whether the internship is constituted to serve the needs of the organisation or is it aligned to the professional goals of the interns and if not where is the degree of focus and how this impacts on professional practice.

6) The study should incorporate the mechanism of recruitment and the preference to work for the organisation. The questions “why did I choose this particular company” is an important indicator of employer of choice or an indication of lack of choice.

7) The writer supports the inclusion of work placement in undergraduate degree programs, both in terms of their development of students’ generic skills and abilities, and their provision of opportunities for employment and career development. Further research should be commissioned in this regard as this inclusion would be beneficial in preparing graduates for the workplace.

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Appendix A

Initial Mail (to all office managers)

Dear Office Manager

I am a graduate student at the Public and Development Management School at the University of Witwatersrand. I am currently working on my research project and I kindly request your help. The purpose of my study is to determine how conducive the workplace is in facilitating full-work participation. The object of my study is to provide facts on how to improve the quality of the internship programme to which you are a key stakeholder.

In the next day or so, I will be sending out questionnaires to you via e-mail. These questionnaires must be printed and handed out to the various categories accompanying the questionnaire. Please be so kind as to return the completed questionnaire to me. In this way I will not know who completed the questionnaires, and therefore, will be able to guarantee the population's anonymity.

Appendix B

Initial Mail (to all candidate attorneys and their immediate supervisor)

Dear Supervisor / Candidate Attorney

I am a graduate student at the Public and Development Management School at the University of Witwatersrand. I am currently working on my research project and I kindly request your help. The purpose of my study is to determine how conducive the work place is in facilitating full-work participation. The objective of my study is to provide facts on how to improve the quality of your internship.

In the next day or so, I will be sending questionnaires to your office manager. These questionnaires will be printed and handed to you for completion. Please be so kind as to return the completed questionnaire to the office manager, who will then forward the forms back to me. In this way, I will not know who filled the questionnaire and therefore, will be able to guarantee your anonymity.

Appendix C

Interns Questionnaire (Into the first twelve months of the article of Clerkship)

Biographical Data

Number of Months with the Legal Aid Board: _____

Name of Justice Centre: _____

Name of Province JC situated in: _____

Respondent Age: _____

(Please tick appropriate box)

Gender: Male ☐

Female ☐

indicate the number that corresponds to your expectation (see bottom for ratings)

Structure : Having High expectation about structure means you want clear instructions regarding what to do, how to do it and what resources are available to you	*Diversity : Having high expectations about diversity means you want to work with people from a variety of backgrounds and/or with varied points of view*	*Recognition: Having high expectation about recognition means you want a work environment where good work is acknowledged and rewarded.*	*Autonomy: Having high expectations about autonomy means you want to have the independence or freedom too make decisions about how you will do your job.*	*Environment: Having high expectation about environment means you see a connection between the social and physical work environment and your well being.*	*Expression: Having high expectation about expression means you want a work environment which allows you to share your opinions and feeling openly*	*Teamwork: Having high expectations about teamwork means you expect collaboration to be highly valued and commonly used method for reaching work objectives.*	*Balance: Having high expectations of balance means you have personal and professional goals and you want others to understand.*	*Career Growth: having high expectation about career growth means you want to make progress towards your professional goals*	*Stability: Having high expectations about stability means you want job security and a work environment which remains relatively unchanged*
1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5

*1 Not Important *2 Slightly Important * 3 Important *4 Very Important * 5 Essential

I understand that by returning this questionnaire, I am giving my informal consent as a participating volunteer in this study. I understand the basic nature of the study and agree any potential risks are exceedingly small. I also understand the potential benefit that might be realized from the successful completion of this study. I am aware the information is being sought in a specific manner so confidentiality is guaranteed. I realize I have the right to refuse to participate and my right to withdraw from participation at any time during the study will be respected with no coercion and prejudice. Please address all concerns and complaints to the Researcher at Central Office.

Ratings	Strongly	Tend to	Neutral	Tend to Agree	Strongly Agree
	1	2	3	4	5

Appendix D Interns Questionnaire (Into the last twelve months of the article of Clerkship)

Indicate the number that corresponds to your opinion (see ratings above)

I received clear instructions regarding what to do, how to do it and what resources are available to me.	1	2	3	4	5		Biographical Data : Name of Justice Centre
I worked with people from a variety of backgrounds and/or with varied points of view.	1	2	3	4	5		_____
I worked in an environment where good work is acknowledge and rewarded.	1	2	3	4	5		Number of Months left for you to complete your Article of Clerkship
I had the independence or freedom to make decisions about how I did my job.	1	2	3	4	5		_____
I have seen the connection between the social and physical work environment and my well-being	1	2	3	4	5		Name of Province JC Situated in : _____
I was able to share my opinions and feelings openly.	1	2	3	4	5		Respondents Age: _____
I found collaboration to be highly valued as a commonly used method for reaching work objectives.	1	2	3	4	5		Gender : Male / Female
The importance and my commitments in terms of my personal and professional goals were understood by others.	1	2	3	4	5		
I was able to make progress towards my professional goals	1	2	3	4	5		
My job was secure and the work environment remained relatively unchanged.	1	2	3	4	5		

I understand that by returning this questionnaire, I am giving my informal consent as a participating volunteer in this study. I understand the basic nature of the study and agree any potential risks are exceedingly small. I also understand the potential benefit that might be realized from the successful completion of this study. I am aware the information is being sought in a specific manner so confidentiality is guaranteed. I realize I have the right to refuse to participate and my right to withdraw from participation at any time during the study will be respected with no coercion and prejudice. Please address all concerns and complaints to the Researcher at Central Office.

	Strongly	Tend to	Neutral	Tend to Agree	Strongly Agree
Ratings	1	2	3	4	5

Appendix E Supervisor's Questionnaire (only if you are supervising an Article of Clerkship)

Indicate the number that corresponds to your opinion (see ratings above)

Employer expectation of the legal graduate							
The Candidate Attorney was able to receive clear instruction on what to do, how to do it and was able to utilise the resources available to him/her.	1	2	3	4	5		Biographical Data : Name of Justice Centre _____
The Candidate Attorney was able to work with people from a variety of backgrounds.	1	2	3	4	5		For how many years have you been supervising Candidate Attorneys
The Candidate Attorney level of performance was good.	1	2	3	4	5		_____
The Candidate Attorney used the independence or freedom to make decisions about how he/she did their job.	1	2	3	4	5		Name of Province JC Situated in : _____
The Candidate Attorney made the connection between the social and physical work environment and his/ her well-being	1	2	3	4	5		Respondents Age: _____
The Candidate Attorney shared his / her feelings openly.	1	2	3	4	5		
The Candidate Attorney was a team player	1	2	3	4	5		Gender : Male / Female
The Candidate Attorney was well balance in terms of his/her personal and professional goals	1	2	3	4	5		
The Candidate Attorney took the opportunities available to progress towards his/her professional goals.	1	2	3	4	5		
The Candidate Attorney was able to adapt to change.							

I understand that by returning this questionnaire, I am giving my informal consent as a participating volunteer in this study. I understand the basic nature of the study and agree any potential risks are exceedingly small. I also understand the potential benefit that might be realized from the successful completion of this study. I am aware the information is being sought in a specific manner so confidentiality is guaranteed. I realize I have the right to refuse to participate and my right to withdraw from participation at any time during the study will be respected with no coercion and prejudice. Please address all concerns and complaints to the Researcher at Central Office.

Table 2

Age and Gender of Legal Graduates in the first twelve month of the Articles of Clerkship

Number of Respondents	Respondents Age	Respondents as per age groups		Gender				Average Period in internship (months)
				Male		Female		
		Number	Percent %	Number	Percent %	Number	Percent %	
	22	8	4.82	3	3.03	5	7.46	
	23	20	12.05	11	11.11	9	13.43	
	24	30	18.07	13	13.13	17	25.37	
	25	16	9.64	9	9.09	7	10.45	
	26	14	8.43	7	7.07	7	10.45	
	27	11	6.63	6	6.06	5	7.46	
	28	10	6.02	8	8.08	2	2.99	
	29	9	5.42	5	5.05	4	5.97	
	30	7	4.22	7	7.07			
	31	7	4.22	5	5.05	2	2.99	
	32	4	2.41	4	4.04			
	33	6	3.61	5	5.05	1	1.49	
	34	2	1.20	1	1.01	1	1.49	
	35	6	3.61	3	3.03	3	4.48	
	36	5	3.01	2	2.02	3	4.48	
	37	1	0.60	1	1.01			
	38	3	1.81	2	2.02	1	1.49	
	40	2	1.20	2	2.02			
	43	2	1.20	2	2.02			
	46	2	1.20	2	2.02			
	49	1	0.60	1	1.01			
166		166	100.00	99	100.00	67	100.00	7.02

Table 3

Age and Gender of Legal Graduates in the last twelve month

Of the Articles of Clerkship

Number of Respondents	Respondents Age	Respondents as per age groups		Gender				Average Period in internship (months)
				Male		Female		
		Number	Percent %	Number	Percent %	Number	Percent %	
	21	2	1.46			2	3.51	
	22	2	1.46			2	3.51	
	23	5	3.65	3	3.75	2	3.51	
	24	7	5.11	3	3.75	4	7.02	
	25	14	10.22	7	8.75	7	12.28	
	26	24	17.52	10	12.5	14	24.56	
	27	18	13.14	13	16.25	5	8.77	
	28	10	7.30	6	7.5	4	7.02	
	29	17	12.41	10	12.5	7	12.28	
	30	6	4.38	3	3.75	3	5.26	
	31	10	7.30	6	7.5	4	7.02	
	32	2	1.46	2	2.5		0.00	
	33	3	2.19	2	2.5	1	1.75	
	34	3	2.19	3	3.75		0.00	
	36	2	1.46	2	2.5		0.00	
	37	1	0.73		0	1	1.75	
	39	2	1.46	2	2.5		0.00	
	40	2	1.46	2	2.5		0.00	
	43	1	0.73	1	1.25		0.00	
	44	1	0.73	1	1.25		0.00	
	45	1	0.73	1	1.25		0.00	
	46	3	2.19	2	2.5	1	1.75	
	49	1	0.73	1	1.25		0.00	
137		137	100.00	80	100.00	57	100.00	5.87

Table 4

Age and Gender of Supervisors' Supervising the Legal Graduate

Number of Respondents	Respondents Age	Respondents as per age groups		Gender				Average no. of years spent supervising Interns
				Male		Female		
		Number	Percent %	Number	Percent %	Number	Percent %	
	24	1	2.33	1	3.57			
	25	1	2.33	1	3.57			
	26	3	6.98	1	3.57	2	13.33	
	27	2	4.65	1	3.57	1	6.67	
	30	1	2.33	1	3.57			
	31	2	4.65	1	3.57	1	6.67	
	32	2	4.65	2	7.14			
	33	4	9.30	3	10.71	1	6.67	
	34	2	4.65	1	3.57	1	6.67	
	35	6	13.95		0.00	6	40.00	
	36	5	11.63	3	10.71	2	13.33	
	37	3	6.98	2	7.14	1	6.67	
	38	1	2.33	1	3.57			
	39	2	4.65	2	7.14			
	40	1	2.33	1	3.57			
	42	1	2.33	1	3.57			
	47	2	4.65	2	7.14			
	50	1	2.33	1	3.57			
	51	1	2.33	1	3.57			
	52	1	2.33	1	3.57			
	53	1	2.33	1	3.57			
43		43	100.00	28	100.00	15	100.00	4.43

Table 5

Percentage distributions: Legal Graduates work place expectations in the first twelve months of their Articles of Clerkship

Variable	Not Important	Slightly Important	Important	Very Important	Essential
Structure : having High Expectations about structure means that you want clear instructions regarding what to do, how to do it and what resources are available to you	1.20	1.20	18.07	30.72	48.80
Diversity : having high expectations about Diversity means that you want to work with people from a variety of backgrounds and / or with varied points of view	3.61	7.23	21.69	37.35	30.12
Recognition : having high expectation about recognition means that you want a work environment where good work is acknowledged and rewarded	1.20	3.61	20.48	25.30	49.40
Autonomy : having high expectations about autonomy means that you want to have the independence or freedom too make decisions about how you will do your job	4.82	4.82	26.51	31.93	31.93
Environment : having high expectation about environment means that you see a connection between the social and physical work environment and your well being	1.20	6.02	30.12	36.14	26.51
Expression : having high expectation about expression means that you want a work environment that allows you to share your opinions and feelings openly	1.20	3.01	12.65	32.53	50.60
Teamwork : having high expectations about teamwork means that you expect collaboration to be highly valued and is a commonly used method for reaching work objectives	0.60	1.81	20.48	25.90	51.20
Balance : having high expectations for balance means that you have personal and professional goals and that you want others to understand	1.81	6.63	19.28	34.34	37.95
Career Growth : having high expectations about career growth means that you want to make progress towards your professional goals	0.60	1,20	6.02	25.30	66.87
Stability : having high expectations about stability means that you want job security and a work environment that remains relatively unchanged	7.83	7.83	19.88	30.12	34.34

Table 6

Percentage distributions: Legal Graduates actual work experience in the last 12 months of the Articles of Clerkship

Variable	Strongly Disagree	Tend to Disagree	Neutral	Tend to Agree	Strongly Agree
Structure : I received clear instructions regarding what to do, how to do it and what resources are available to me	5.11	10.22	21.90	34.31	28.47
Diversity : I worked with people from a variety of backgrounds and /or with varied points of view	1.46	0.73	8.03	37.23	52.55
Recognition : I worked in an environment where good work is acknowledged and rewarded	19.71	9.49	19.71	29.20	21.90
Autonomy : I had the independence or freedom to make decisions about how I did my job	10.22	15.33	24.09	27.74	22.63
Environment : I have seen the connection between the social and physical work environment and my well being	3.65	5.84	32.85	27.01	30.66
Expression : I was able to share my opinions and feelings openly	7.30	11.68	18.25	29.20	33.58
Teamwork : I found collaboration to be highly valued as a commonly used method for reaching work objectives	2.19	5.11	32.85	38.69	21.17
Balance ; The importance and my commitments in terms of my personal and professional goals were understood by others	5.84	9.49	24.09	40.15	20.44
Career Growth : I was able to make progress towards my professional goals	2.19	4.38	15.33	37.96	40.15
Stability : My job was secure and the work environment remained relatively unchanged	7.30	7.30	21.90	35.77	27.74

Table 7

Percentage distributions: Supervisors' experience supervising the Legal Graduate during the Articles of Clerkship

Variable	Strongly Disagree	Tend to Disagree	Neutral	Tend to Agree	Strongly Agree
Structure : the Candidate Attorney was able to received clear instructions on what to do, how to do it and was able to utilise the resources are available to him/her	2.33	2.33	0.00	53.49	41.86
Diversity: the Candidate Attorney was able to work with people from a variety of backgrounds.	2.33	0.00	9.30	48.84	39.53
Recognition : the Candidate Attorney's level of performance was good	0.00	2.33	13.95	41.86	41.86
Autonomy: the Candidate Attorney used independence and freedom to make decisions about how he/she did their job.	0.00	4.65	23.26	46.51	25.58
Environment : the Candidate Attorney made the connections between the social and physical work environment and his/her well being	0.00	4.65	20.93	51.16	23.26
Expression : the Candidate Attorney shared his/her feelings openly	2.33	4.65	25.58	39.53	27.91
Teamwork : the Candidate Attorney was a team player	2.33	0.00	9.30	48.84	39.53
Balance : the Candidate Attorney was well balanced in terms of his/her personal and professional goals	0.00	2.33	30.23	41.86	25.58
Career Growth : the Candidate Attorney took the opportunities available to progress towards his/her professional goals	0.00	4.65	11.63	55.81	27.91
Stability: the Candidate Attorney was able to adapt to change.	0.00	4.65	9.30	44.19	41.86

Results of Logistic Regression

Appendix F: Table 6.1 - Structure

		Category			
Key	Structure	1	2	3	Total
Frequency	0	35	51	2	88
Row Percentage		39.77	57.95	2.27	100.00
Column Percentage		21.08	37.23	4.65	25.43
Frequency	1	131	86	41	258
Row Percentage		50.78	33.33	15.89	100.00
Column Percentage		78.92	62.77	95.35	74.57
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 21.4947 Pr = 0.000			

xi: logistic structure i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression	Number of obs =	346
	LR chi2 (2) =	24.33
	Prob > chi2 =	0.0000
Log likelihood = - 184.03121	Pseudo =	0.0620

Structure	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf. Interval	
_1category_2	.4505314	.1170001	-3.07	0.002	.2708154	.7495086
_1category_3	5.477099	4.100864	2.27	0.023	1.2625	23.76129

Results of Logistic Regression

Appendix F: Table 6.2 - Diversity

		Category			
Key	Diversity	1	2	3	Total
Frequency	0	56	14	5	75
Row Percentage		74.67	18.67	6.67	100.00
Column Percentage		33.73	10.22	11.63	21.68
Frequency	1	110	123	38	271
Row Percentage		40.59	45.39	14.02	100.00
Column Percentage		66.27	89.78	88.37	78.32
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 27.3677 Pr = 0.000			

xi: logistic diversity i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression	Number of obs =	346
	LR chi2 (2) =	28.23
	Prob > chi2 =	0.0000
Log likelihood = - 166.76549	Pseudo =	0.0780

Diversity	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf. Interval	
_1category_2	4.472727	1.459644	4.59	0.000	2.35933	8.479225
_1category_3	3.869091	1.947115	2.69	0.007	1.442922	10.37469

Results of Logistic Regression

Appendix F: Table 6.3 - Recognition

		Category			
Key	Recognition	1	2	3	Total
Frequency	0	39	68	7	114
Row Percentage		34.21	59.65	6.14	100.00
Column Percentage		23.49	49.64	16.28	32.95
Frequency	1	127	69	36	232
Row Percentage		54.74	29.74	15.52	100.00
Column Percentage		76.51	50.36	83.72	67.05
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 29.3918 Pr = 0.000			

xi: logistic recognition i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression		Number of obs =	346
		LR chi2 (2) =	29.48
		Prob > chi2 =	0.0000
Log likelihood = - 204.56037		Pseudo R2 =	0.0672

Recognition	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf.	Interval
_1category_2	.3116026	.0780337	- 4.66	0.000	.190738	.5090552
_1category_3	1.579303	.7135699	1.01	0.312	.651434	3.828779

Results of Logistic Regression

Appendix F: Table 6.4 - Autonomy

		Category			
Key	Autonomy	1	2	3	Total
Frequency	0	60	66	12	138
Row Percentage		43.48	47.83	8.70	100.00
Column Percentage		36.14	48.18	27.91	39.88
Frequency	1	106	71	31	208
Row Percentage		50.96	34.13	14.90	100.00
Column Percentage		63.86	51.82	72.09	60.12
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 7.4687 Pr = 0.024			

xi: logistic autonomy i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression	Number of obs = 346
	LR chi2 (2) = 7.53
	Prob > chi2 = 0.0232
Log likelihood = - 228.93378	Pseudo R2 = 0.0162

Autonomy	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf. Interval	
_1category_2	.6089194	.1432406	- 2.11	0.035	.3839948	.9655934
_1category_3	1.462264	.5504255	1.01	0.313	.6992243	3.057983

Results of Logistic Regression

Appendix F: Table 6.5 - Environment

		Category			
Key	Environment	1	2	3	Total
Frequency	0	61	58	11	130
Row Percentage		46.92	44.62	8.46	100.00
Column Percentage		36.75	42.34	25.58	37.57
Frequency	1	105	79	32	216
Row Percentage		48.61	36.57	14.81	100.00
Column Percentage		63.25	57.66	74.42	62.43
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 4.0094		Pr = 0.135	

xi: logistic environment i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression		Number of obs =	346
		LR chi2 (2) =	4.14
		Prob > chi2 =	0.1261
Log likelihood = - 226.95735		Pseudo R2 =	0.0090

Environment	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf.	Interval
_1category_2	.7912972	.1869486	- 0.99	0.322	.4980102	1.257306
_1category_3	1.690043	.6503403	1.36	0.173	.7949679	3.592908

Results of Logistic Regression

Appendix F: Table 6.6 - Expression

		Category			
Key	Expression	1	2	3	Total
Frequency	0	29	50	14	93
Row Percentage		31.18	53.76	15.05	100.00
Column Percentage		17.47	36.50	32.56	26.88
Frequency	1	137	87	29	253
Row Percentage		54.15	34.39	11.46	100.00
Column Percentage		82.53	63.50	67.44	73.12
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 14.6304		Pr = 0.001	

xi: logistic expression i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression	Number of obs =	346
	LR chi2 (2) =	14.90
	Prob > chi2 =	0.0006
Log likelihood = - 193.93646	Pseudo R2 =	0.0370

Expression	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf.	Interval
_1category_2	.3683212	.099703	- 3.69	0.000	.2166756	.6260996
_1category_3	.4384776	.1685108	- 2.15	0.032	.2064539	.9312617

Results of Logistic Regression

Appendix F: Table 6.7 - Teamwork

		Category			
Key	Teamwork	1	2	3	Total
Frequency	0	38	55	5	98
Row Percentage		38.78	56.12	5.10	100.00
Column Percentage		22.89	40.15	11.63	28.32
Frequency	1	128	82	38	248
Row Percentage		51.16	33.06	15.32	100.00
Column Percentage		77.11	59.85	88.37	71.68
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 17.7488		Pr = 0.000	

xi: logistic teamwork i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression	Number of obs =	346
	LR chi2 (2) =	18.34
	Prob > chi2 =	0.0001
Log likelihood = - 197.04105	Pseudo R2 =	0.0445

Teamwork	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf.	Interval
_1category_2	.4426136	.1124145	- 3.21	0.001	.2690529	.728135
_1category_3	2.25625	1.151448	1.59	0.111	.8298267	6.134611

Results of Logistic Regression

Appendix F: Table 6.8 - Balance

		Category			
Key	Balance	1	2	3	Total
Frequency	0	46	54	14	114
Row Percentage		40.35	47.37	12.28	100.00
Column Percentage		27.71	39.42	32.56	32.95
Frequency	1	120	83	29	232
Row Percentage		51.72	35.78	12.50	100.00
Column Percentage		72.29	60.58	67.44	67.05
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 4.6582 Pr = 0.097			

xi: logistic balance i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression	Number of obs =	346
	LR chi2 (2) =	4.65
	Prob > chi2 =	0.0980
Log likelihood = - 216.97516	Pseudo R2 =	0.0106

Balance	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf. Interval	
_1category_2	.5891975	.14509	- 2.15	0.032	.3636238	.9547056
_1category_3	.7940476	.2928128	- 0.63	0.532	.3854408	1.63582

Results of Logistic Regression

Appendix F: Table 6.9 - Career Growth

		Category			
Key	Career Growth	1	2	3	Total
Frequency	0	13	30	7	50
Row Percentage		26.00	60.00	14.00	100.00
Column Percentage		7.83	21.90	16.28	14.45
Frequency	1	153	107	36	296
Row Percentage		51.69	36.15	12.16	100.00
Column Percentage		92.17	78.10	83.72	85.55
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 12.1456 Pr = 0.002			

xi: logistic career growth i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression	Number of obs =	346
	LR chi2 (2) =	12.44
	Prob > chi2 =	0.0020
Log likelihood = - 136.70096	Pseudo R2 =	0.0435

Career Growth	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf. Interval	
_1category_2	.3030501	.10763	- 3.36	0.001	.1510794	.6078881
_1category_3	.4369748	.220268	- 1.64	0.101	.1626998	1.173615

Results of Logistic Regression

Appendix F: Table 6.10 - Stability

		Category			
Key	Stability	1	2	3	Total
Frequency	0	70	49	6	125
Row Percentage		56.00	39.20	4.80	100.00
Column Percentage		42.17	35.77	13.95	36.13
Frequency	1	96	88	37	221
Row Percentage		43.44	39.82	16.74	100.00
Column Percentage		57.83	64.23	86.05	63.87
	Total	166	137	43	346
		47.98	39.60	12.43	100.00
		100.00	100.00	100.00	100.00
		Pearson chi2 (2) = 11.7955 Pr = 0.003			

xi: logistic stability i.category

i.category _Icategory_1-3 (naturally coded; _Icategory_1 omitted)

Logistic regression	Number of obs =	346
	LR chi2 (2) =	13.21
	Prob > chi2 =	0.0014
Log likelihood = - 219.72752	Pseudo R2 =	0.0292

Stability	Odds Ratio	Std .Err.	z	P>I z I	[95% Conf. Interval	
_1category_2	1.309524	.3111991	1.13	0.256	.8219234	2.08639
_1category_3	4.496528	2.101356	3.22	0.001	1.799229	11.23746

Appendix "G" (Developed by the Legal Aid Board)

LEGAL AID BOARD

COURT READINESS CHECKLIST FOR CANDIDATE ATTORNEYS

Justice Centre:

	LEARNING AREAS	SPECIFIC OUTCOMES	LEARNING REQUIREMENTS	METHODOLOGY	Comment
1.	Court Etiquette	• Familiar with requirements of court decorum.	• Robing procedure • Introduction to Judicial officer • Entering/exit court etiquette • Excusing self from court • Protocol to stand, sit, talk, hand in documents • Proper Language • Improper/unacceptable behaviour • Dress code	• Discussion • Show & Tell • Show & Tell • Discussion • Discussion • Discussion • Discussion • Discussion	
2.	Ethics	• Familiar with ethical requirements of profession	• Protocol on presenting clients version – e.g. non-fabrication of version • Duty as an officer of court - e.g. honesty/integrity • Duty to: o Client o Prosecutor o colleague	• Discussion • Discussion • Discussion	
3.	LAG Issues	• Familiar with policies & procedures of LAB	• LAG Inclusions and Exclusions • LA1, LA13, Appeals • Fraud prevention	• Discussion • Show & Tell • Discussion	
4.	File/Dairy Management	• Effective time and file management	• Effective diarising of matters • Proper file notes & file cover notes • Complete matter activity report • Usage of file sub-folders • File closure procedures	• Show & Tell • Show & Tell • Show & Tell • Show & Tell • Show & Tell	
5.	Consultations	• Proper taking of instructions	• Obtain and record relevant facts • Crystallise defence • Determine relevant witnesses • Obtain mitigating factors • Research case law • Manage client expectations • Plea-bargaining possibilities	• Discussion • Observation & Discussion • Discussion • Observation & Discussion • Show & Tell • Discussion • Observation & Discussion •	
6.	Role Players	• Familiarise with role players and their roles	• Identify role players and their roles	• Observation & Discussion	
7.	Court Procedure	• Familiarity with sequence of court proceedings.	• Discuss court proceedings in terms of sequence, including s174 applications.	• Observation & Discussion	

	LEARNING AREAS	SPECIFIC OUTCOMES	LEARNING REQUIREMENTS	METHODOLOGY	Comment
8	Remands	• Knowledge of the circumstances for applying/opposing application for remands.	• Highlight instances that require application/opposition of remands.	• Discussion & observation.	
8.	Docket Copies and Court Documents	• The examination and understanding of documents to prepare properly for trial.	• Function/Purpose of different documents including: o J88 o DNA reports o Blood sample report o Analysis report. • Extraction of relevant information. • Admissibility of documents.	• Observation & Discussion. • Show & Tell • Discussion	
9.	Principles of Criminal Law	• Refresh general principles of criminal law.	• Elements of the offence. • Grounds of defence.	• Research & Discussion • Discussion	
10.	Competent Verdicts	• Refreshing competent verdicts ito. CPA	• Identification of offence and corresponding competent verdict	• Research & Discussion	
11.	Drafting and presentation of pleas	• Acquire skills in drafting of: s112, & s115 statements as well as the presentation of such pleas at court.	• Drafting of 3 statements each on the following sections: s112 & s115 of CPA • Presentation of 2 mock pleas on each of s112 and s115.	• Written • Mock pleas	
12.	Bail Applications	• Acquire skills to conduct formal & informal bail applications especially schedule 5 & 6	• Knowledge of substantive law iro bail applications. • Knowledge of test requirements for different schedules. • Burden of proof. • Three mock bail applications	• Discussion & mock bail application • Discussion & mock bail application • Discussion & mock bail application • Mock bail application	
13.	Law of Evidence	• To acquire the skills relating to the admissibility/relevance of evidence/documents	• Refresher workshop at JC on the law of evidence including: o Admissions o Confessions o Point outs.	• Discussion • Practical exercises	
14.	Trial advocacy	• To acquire skills to conduct trials	• Workshop at JC on trial advocacy including: o cross examination o leading evidence o Expert witnesses •	• Discussion and mock trials	
15.	Plea bargaining	• To acquire skills to enter into formal (s105) and informal plea bargaining.	• Refresher discussion on the s105A. • Workshop on negotiation skills.	• Discussion • Written	

	LEARNING AREAS	SPECIFIC OUTCOMES	LEARNING REQUIREMENTS	METHODOLOGY	Comment
16.	Sentencing	• To acquire skills in presenting mitigating factors.	• Identification of what constitutes mitigating factors. • The circumstances under which a PO/correctional supervision report should be requested. • Appropriate sentencing options • Confirmation of SAP 69	• Discussion & observation	

We the undersigned do hereby acknowledge having trained the candidate attorney in the necessary disciplines as per the checklist above:

_____ _____

Supervising PA

Principal Attorney

I hereby acknowledge having received the necessary training as per the checklist above.

_____

Candidate Attorney

APPENDIX "H" (Developed by the Legal Aid Board)

LEGAL AID BOARD

PRE-ADMITTANCE CHECKLIST FOR CANDIDATE ATTORNEYS

Name of CA:

Justice Centre:

	CORE LEARNING	SPECIFIC OUTCOMES	LAB PRACTICAL EXPERIENCE	COMMENTS
1.	Effective verbal and written communication (Interviewing skills and taking instructions General correspondence)	• Communicate effectively to obtain required information from clients and witnesses to advise them on their legal position • Communicate effectively in writing	• Ensure at least 20 supervised consultations with clients and witnesses to extract the legal issue and appropriate legal action to be taken. • Ensure at least 20 supervised letters written which is clear, concise, correct and complete.	
2.	Effective use of technology (Information Technology)	• Use the personal computer as a business tool and have specific knowledge of the key concepts and practical skills relevant to the tools and techniques that are widely used	• Ensure CA has conducted at least 10 electronic legal researches.	
3.	Identification and solving of legal problems **(Research and problem solving)**	• Analyse the nature of a problem, determine the area of law, find relevant sources, consider and evaluate options and propose solutions	• Ensure at least 10 written merit reports in respect of civil & criminal matters.	
4.	Application of attorneys accounting skills	• Apply and maintain basic business control principles • Administer books of account • Apply the Value-Added Tax Act • Adhere to general Trust and Business Accounting Principles • Apply principles of making Trust investments • Record and account for correspondent transactions		
5.	Business management and administration	• Manage the affairs of the employer and clients • Draft a business plan • Draft a budget • Design and implement an administrative system • Manage time effectively	• Ensure accurate recording of attendances on all files. • Participate in drafting LAB business plan. • Participate in drafting JC budget. • Ensure accurate implementation of JC administrative system • Attend JC in-house workshop.	

	CORE LEARNING	SPECIFIC OUTCOMES	LAB PRACTICAL EXPERIENCE	COMMENTS
6.	Recovery of fees and disbursements **(Legal Costs)**	• Apply the general principles relating to costs • Apply the ethics relating to legal costs • Draft accounts in non-litigious matters • Draft bills of costs in respect of Magistrate and High Court matters • Negotiate and settle bills of costs • Tax and oppose the taxation of bills of costs	• Draft statement of account • Draft bill of cost	
7.	Court Practice – Procedure, drafting Court documents and Trial Advocacy	***Civil Court Practice*** • Make responsible decisions within the context of litigation • Draft pleadings, notices and affidavits • Apply the provisions of the Magistrate's Court Act and Rules • Apply the Supreme Court Act, rules and practice directives • Debt Collection o Sec 65 o Sec. 74 o Default Judgment o Warrant execution o Recession of judgement o Garnishee	• Prepare at least 10 supervised pleadings, notices and affidavits • Conduct at least 2 supervised civil trials demonstrating application of the Mag. Court Act & Rules. • Participate in 1 mock trial within JC. o Observe at least two Central Divorce Court trials o Do/oppose civil applications • JC Workshop covering all aspects of debt collection.	
8.		***Matrimonial and Divorce matters*** • Advise on the available forms of marital dispensations and the amendment of matrimonial property dispensations • Advise on Divorce Law and assist with the instituting and defending of divorce matters. • Apply Rule 43/32 of the Uniform Rules of the High Court/Divorce Court • Amend/vary divorce orders • Assist in maintenance matters	• Finalize at least 5 supervised divorce matters. • JC normal service delivery • JC workshop • JC normal service delivery	
9.		***Personal Injury Claims*** • Advise on compensation arising from motor vehicle collisions • Assist in claiming workman's compensation • Assess damages for personal	• E.g. claims against SAP, dog bite, assault.	

	CORE LEARNING	SPECIFIC OUTCOMES	LAB PRACTICAL EXPERIENCE	COMMENTS
		injuries and loss of support *Insolvency/ Liquidation Procedures* • Apply the substantive law and make/ Oppose applications in accordance with instructions Make an application for rehabilitation		
10.		***Personal Injury Claims*** • Advise on compensation arising from motor vehicle collisions • Assist in claiming workman's compensation • Assess damages for personal injuries and loss of support *Insolvency/ Liquidation Procedures* • Apply the substantive law and make/ Oppose applications in accordance with instructions • Make an application for rehabilitation	• E.g. claims against SAP, dog bite, assault.	
11.		***Criminal Court Practice*** • Apply the general principles of criminal court practice • Secure the release of an accused • Dispose with a case without a trial • Prepare and conduct a criminal trial demonstrating practical aspects of trial advocacy • Request an adjournment of a criminal trial • • Plead to a charge • • Assist the client and court when sentencing an accused • • • Appeal against a judgement and/or sentence or request a	• Ensure at least 20 supervised consultations with clients and witnesses to extract the legal issue and appropriate legal action to be taken. • Conduct at least 5 supervised opposed and unopposed bail applications. • Conduct at least 5 supervised informal plea-bargaining. • Prepare & conduct at least 5 supervised criminal trials demonstrating application of the CPA. • Conduct at least 2 supervised applications/ opposition for adjournment. • Prepare 5 supervised guilty/not-guilty pleas. • Address court on 2 supervised applications for s174, acquittals & mitigation of sentence. • Make 2 supervised	

	CORE LEARNING	SPECIFIC OUTCOMES	LAB PRACTICAL EXPERIENCE	COMMENTS
		review of the proceedings	applications for leave to appeal.	
12.	**Drafting of legal documents**	**Draft a range of legal documents, excluding pleadings, that occur in an attorneys practice**		
13.	**Application of rules of procedure of professional conduct**	**Apply the ethical principles of the profession**		
14.	Drafting of wills and the administration of estates and trusts	• Draft wills • Administer deceased estates • Calculate estate duty	• Do at least 2 estate matters	
15.	**Other**	• Alternative dispute resolution	• Undertake 1 supervised ADR that encompasses drafting and/or concluding of a mediation agreement.	
		• Labour law Practice	• Attend scheduled workshops	

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JCE/PRINCIPAL ATTORNEY

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SUPERVISORY PA

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CANDIDATE ATTORNEY