Reform of legal education is a hot topic. Talk today focuses on practical training. While similar issues are present in every legal system, this discussion will concentrate principally on the three systems of legal education that I know best: the legal systems of the United States, Germany and Japan. All three systems face the problem of how to integrate theory and practice in professional education.

Recently, in the United States, the Carnegie Foundation for the Advancement of Teaching released a study, *Educating Lawyers: Preparation for the Profession of Law*.


2. Sullivan, supra note 1, at 192.

At more or less the same time, in Germany, the German Lawyers’ Association proposed a new legal education law that would completely overhaul
post-university legal education there\(^3\) in order to bring about “practical lawyer-training” (praktische Anwaltsausbildung).\(^4\)

In 2004, Japan actually did completely overhaul its system of legal education. But it reduced the practical internship to one year from two years and introduced two-to-three years of law school education between historic undergraduate legal education and practical training.\(^5\)

In all three of these countries legal education, and in particular the practical component of legal education, had been stable for a long time: for a half century in Japan, nearly a century in the United States, and more than a century-and-a-half in Germany. But stability is about the only trait that the three systems shared. In particular, the practice component varied.

Practical training is an issue in legal education because legal education does more than convey legal knowledge: it prepares students for professional practice. Knowledge of law is essential to becoming a jurist. Yet knowledge of law alone is not enough; becoming a lawyer, judge or other legal professional also requires professional skills. Learning substantive knowledge of the law is usually denominated “education,” while acquiring practical skills is ordinarily called “training.” Legal educators ponder the proper proportions and proper places for legal education and for practical training in the preparation of legal professionals.

In the United States, by the twentieth century, a system of purely professional law school studies replaced a system of purely practice apprenticeship that had prevailed in the first part of the nineteenth century. In twentieth century Germany, even the Nazi dictatorship did not displace the nineteenth-century Prussian system of university study followed by practical court-supervised training in the courts, other government offices and law firms. In Japan, until 2004, the system followed a modified German model.\(^6\) Then Japan moved in the direction of the contemporary

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\(^3\) Entwurf eines Gesetzes zur Einführung einer Spartenausbildung in der juristenausbildung: Gesetzentwurf des Deutschen Anwaltsvereins (DAV), 2007 Anwaltsblatt 45.

\(^4\) Hartmut Kilger, Wie der angehende Anwalt ausgebildet sein muss, 2007 Anwaltsblatt 1, 3.


\(^6\) The old Japanese system had its origin in adaptation of the corresponding German system of the late nineteenth century. Jiro Matsuda, The Japanese Legal Training and Research Institute, 7 Am. J. Comp. L. 366, 368 n. 7 (1958). Similarities to the German system remain substantial. Cf. Luke Nottage, Reform, Conservatism and Failures of Imagination in Japanese Legal Education, Zeitschrift für Japanisches Recht, No. 9, 23, 27 n. 11 (2000). In both systems, aspiring lawyers typically study law at a university for four years after completing secondary (high) school. They then take an examination and, if successful, are admitted to a practical training program to become qualified as judges. Practical training begins with classroom-type instruction in the skills of a judge and continues with several-month apprenticeships at the courts and other legal institutions. Following completion of this practical training period, students take a second bar examination. Those who pass with few exceptions become judges, prosecutors or private