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Soia Mentschikoff

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# EDUCATION

AND THE AMERICAN BAR

## A REPLY TO CHESTERFIELD SMITH BY SOIA MENTSCHIKOFF

*LEARNING AND THE LAW* invites the expression of opinions on current and recurrent problems. This issue's guest is Dean Soia Mentschikoff of the University of Miami School of Law, President of the Association of American Law Schools.

### Proposition

Chesterfield Smith, immediate past President of the American Bar Association, has asserted that

*Recertification and specialization, in conjunction with much stronger continuing legal education requirements or their equivalent will, I believe, ultimately upgrade the entire profession and discourage lawyers, at least in most cases, from taking on problems they can't or shouldn't handle.*

### Reply

There always have been specialists in the bar. There always will be. The real question is what is involved in specialization and the certification of specialists. That question itself breaks down into what's involved for 1. lawyers who work with large firms and 2. lawyers who go off to practice by themselves, usually in relatively small communities.

The young person who works with a large firm has traditionally received practice-training from the firm. Since a senior lawyer will be responsible for the associate's work, there's not much of a problem. One could hope, of course, that the quality of counseling given young lawyers is a little better today than it has been.

For a lawyer who is part of a two- or three-man law firm, the question is much more serious. It involves the investment of time in something which isn't going to be used frequently. In that direction, there is a distinct

*(Please turn to page 59)*