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CONTINUING LEGAL EDUCATION – IS INDIA READY FOR INTRODUCING MANDATORY CLE?

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ABSTRACT

An education in law falls under the top 10 professional courses in India as of 2020.¹ It is amply clear that the legal profession is one of the most popular career choices in a country like India, where a heavy reliance is on degrees like engineering and

¹ Review Adda, "Top 10 most professional degree courses in India: Toughest courses in India (2020)", (March 24, 2022) // <https://www.reviewadda.com/institute/article/51/top-10-popular-courses-in-india>.

MBA. This provides us with an idea of the number of people choosing a career in the legal realm and the requirement for a robust legal education system. However, as ambitious as our desires are of being a formidable and well-recognised industry, our level of education fails us in the attempts of achieving the high benchmark we have set for ourselves. The level of competency of the lawyers present in the workforce today is an indication of the dire need of having a system in place to keep for ensuring quality legal practitioners in India.

KEYWORDS

Legal education, continuing legal education, legal profession, Indian legal education system

INTRODUCTION

THE CURRENT LEGAL EDUCATION SYSTEM

In India, the legal industry is considered to be a noble and respected profession. The roots of this can be found in ancient times, and this is one aspect of the legal profession that has remained unchanged. While the function of legal practitioners back in the day was limited to interpretation of the rules dictated by religion and the monarch, the modern legal framework is much more diverse and ever evolving.

EVOLUTION OF THE INDIAN LEGAL SYSTEM

It is a globally accepted fact that the legal profession is one of the oldest professions to exist and an important one at that. Historically, it is legal experts who have found a very high and respectable stature in courts of the kings, heading monarchies, always holding positions of critical and strategic nature, especially those which are core to politics. There have been multiple examples in the past of lawyers turning into world leaders and creating a footprint in the global map, having rippling effect till date. The most notable examples are those of Abraham Lincoln – the 16th president of the United States of America who led the country through the American Civil War and abolished slavery; M.K. Gandhi – a lawyer who fought for India's independence and played a pivotal role in the Indian independence fight; Nelson Mandela – another force to reckon with who was a lawyer and eventually became the president of South Africa and proceeded to build the post-apartheid country; Barack Obama – one of the recent most successful president of the United States of America, who not only was a lawyer but was a professor at the University of Chicago Law School. These examples prove the importance of the legal profession and its far-reaching effects in world politics.

To create world leaders and competent professionals who have the potential to change the world, it is important to understand the evolution of

legal education in India. Prior to the Britishers ruling India, legal education was limited to the elite upperclassmen and was limited to the laws of religion along with the then king ruling the territory. Legal education was not uniform and regularized. It lacked definition and structure as the country was divided into multiple kingdoms where different laws and customs prevailed.

It was in the 1700s when the British arrived in India, and they brought along with them the common law system. Albeit it was for their convenience and ease to take over the country, it was the turning point in the history of the Indian legal profession. The establishment of the Presidency Courts at Bombay, Madras and Calcutta was the start of the upheaval of the courts established by the Mughals. The British established uniform court systems in India by establishing the Supreme Court in 1857, and the India High Court Act of 1862 replaced the Supreme Court with a hierarchical system of courts.²

The most significant change in the legal profession fabric in India came post-independence. It was recognized that the legal system in India required a major change to introduce some structure and unambiguous hierarchy to it. The Law Commission established the National Law School of India University (NLSIU) under the National Law School of India Act (Karnataka Act 22 of 1986),³ and slowly but surely, there was steady increase in the number of private and public law colleges in India. Thus, Indian legal education finally received the required impetus to grow and provide proper legal education in India.

CURRENT APPROACH

The modern approach to legal education is one that aims to be well-rounded and cover as many broad bases as possible. To enhance the quality of legal education, the BCI introduced a five-year integrated course for law students to provide courses aligned with other subjects specific to certain streams, for example, students who have opted for BBA LL.B., i.e. Bachelors in Business Administration and Bachelors of Law will have their course structured in a manner to incorporate management and business administration along with those of law. Additionally, students are also permitted to choose electives based on their specialization. To continue with our previous example, the student would have the option to choose from international trade law and intellectual property law based on the student's interest. This approach has allowed students to gain knowledge on subjects other than the mandatory ones required to acquire the basic legal knowledge to understand other, more niche subjects, which would be beneficial for the student's future.

The current system also enables law students to become independent in their decision and choose their specialization based on their interests. Further,

² Supreme Court of India "History - Supreme Court of India," (April 1, 2022) // <https://main.sci.gov.in/pdf/Museum/m2.pdf>.

³ National Law School of India University "About NLSIU," (2022) (April 1, 2022) // <https://www.nls.ac.in/about/about-nlsiu/>.

the BCI has also mandatorily prescribed a minimum of five internships for law students and if a student fails to fulfil this criterion, they are not eligible to receive their degree.⁴ These factors are proof of the BCI and the legal educational system as a whole attempting to become more robust and mindful of the training and knowledge requirements of law students to cope with the ever-changing needs of the society.

However, the question we need to ask here is if this is enough to sprout enthusiastic young minds ready to take challenges head-on who are confident of the education they have received?

While BCI has attempted to make a curriculum with a robust structure and given importance to new and upcoming subjects which are in demand not only in India but globally, this knowledge is acquired only at the undergraduate degree stage and is limited to the acquisition of the knowledge at the preliminary stage alone. One of the aims of legal education is to utilize this education in their professional life and work towards achieving goals through the application of the knowledge acquired.

Traditionally, the role of legal professionals was limited to legal consultation, drafting legal documents and contracts and carry out court-related functions such as appearing before judicial authorities to plead cases. However, there has been a drastic shift in judicial practice with the advent of liberalization and globalization of the economy which led to the opening of multiple new avenues for legal professionals to explore. The traditional ways of legal education, legal practice and the legal curriculum is evidently inadequate and falling short of meeting the requirements of present-day legal demands of a highly globalized world.⁵ In this day and age of a globalized economy, there has been a significant change in the role of lawyers as multiple facets of law keep like developing which affect the international law, world economics, humanitarian laws, laws relating to environment, intellectual property and cyber laws along with the numerous bi-lateral and multi-lateral treaties, conventions and regulations by international organizations. Keeping pace with the changing times and confidently entering in the global space with the required knowledge is a growing concern amongst legal practitioners in India today. The ever-growing presence of multinational companies, growth in international trade and commerce, increasing number of matters of international arbitration, etc. demands legal professionals who are equipped with expert knowledge, skills and professionalism to competently undertake these tasks and discharge duties accordingly.

As stated above, BCI has taken certain measures to upgrade the level of legal education provided to law students in India and this has increased the

⁴ Bar Council of India Part IV - Rules of Legal Education (2008), rule 25. // <http://www.barcouncilofindia.org/wp-content/uploads/2010/05/BCIRulesPartIV.pdf>

⁵ Chakraborty, A., & Ghosh, Y. (2015). Promoting Continuing Legal Education: A Step towards Implementing the Second Generation Legal Reforms for Creating Competent Lawyers in the New Century. *Asian Journal of Legal Education*, 2(1), 29–45. <https://doi.org/10.1177/2322005814552753>

popularity of the legal profession significantly as it offered the option to enrol for acquiring a degree in law post completion of 12th grade. Ever since, we have seen an influx of fresh legal graduates and a change in the perspective towards law as a profession. It is now important for stakeholders to focus on the all-round development of not just undergraduate students but also legal professionals to create a formidable legal fraternity with qualified, capable and skilful legal professionals.

SHORTCOMING OF THE CURRENT EDUCATION STANDARD

Indian legal education has been focused on primarily on Indian legal system and local laws, which has been beneficial for lawyers in the past. However, in the current hyper globalized world that we live in, focusing on local laws alone limits the scope of lawyers.⁶ With the emergence of globalization, importance of international and comparative studies and competitions on international level, it is imperative for the Indian legal education system to take the changing circumstances into consideration and adapt to the needs of the changing legal world.⁷

There are multiple places where we are still lacking. While the world is advancing in terms of integration of technology in all aspects of a transaction, we are still developing an infrastructure that supports this technological advancement. Our education still does not focus on important current topics like artificial intelligence ('AI'), blockchains, digital currencies and bitcoins, etc. The curriculum set by the BCI and the universities in India are yet to introduce recent specializations in law like fashion law, media and entertainment law, sports law, etc. More often than note, these niche subjects are introduced only at the post-graduate level which is not a mandatory degree for legal professionals and is an optional qualification. If these subjects are offered as minor courses for less credits, it would allow students to explore the new legal avenues which would provide them with clarity with respect to the specific stream of law to pursue after graduation. Moreover, a focus on global collaborations and programmes with international universities through exchange programmes, summer schools, semester abroad, etc. would help future lawyers to build multiple skills required by a well-rounded lawyer and elevate the standard of legal education in India drastically.⁸

Further, there is a clear disconnect how various legal organizations interact in India – we still lack synchrony and collaboration at a domestic level. In an ideal scenario, a collaborative effort between domestic bars, national and global firms and law schools can result in revolutionary experiences for students, faculty, professionals, funding of research centres and developments in areas of

⁶ Kumar, C. Raj. "Legal education, globalization, and institutional excellence: challenges for the rule of law and access to justice in India." *Indiana Journal of Global Legal Studies* 20, no. 1 (2013): 221-252.

⁷ Ibid.

⁸ Ibid.

professional educational courses and CLE initiatives.⁹

The above two shortcomings combined together are good enough for us to understand that the level of legal education in India needs further nourishing and evolution to match up to its international counterparts.

As far as proficiency exam for post-graduation legal professionals are concerned, it is only the All-India Bar Examination (AIBE) that is currently in place to judge the basic knowledge of fresh graduates. The AIBE allows legal professionals to enrol with the BCI and are provided a 'Certificate of Practice' or COP on qualifying the exam. Other than the AIBE, there is no other qualification test that a professional has to undertake to check on their professional competence. We can go as far as saying that legal competence goes unchallenged for the remainder of a legal professional's life since there is no requirement for undertaking any professional training relating to skill or knowledge. Moreover, it is a fact that law does not remain static and constant and changes as per the requirement of the needs of the society and dynamic in nature. Therefore, a constant need for self-learning and self-acquisition of knowledge is required for a legal professional to stay competent and updated, not to mention that this still remains a very important pre-requisite for a legal professional. ¹⁰

Globally CLE is an effective tool which works towards the development of professional skills, ethical value integration, management skills, etc. While these are taught in Indian law schools through clinical legal education, young students are not equipped to fully emulate these values as they come with experience in the practical world.¹¹

BCI has highlighted the need of CLE in India and there are two main reasons for establishing CLE in India –

- (a) Constant requirement of specialization in legal practice
- (b) Limited number of well-structured training programmes and resources
- (c) Additionally, there needs to be a periodic skill assessment and development programmes which focus on all-round development as well as ethics integration in professionals to inculcate professional and ethical values in legal professionals.¹²

CONCERNS

Legal education must encompass within itself not only knowledge of law but also training of the mind, development of the personality and culture of the individual.¹³ An all-round education of a lawyer must incorporate the

⁹ Sharma, Prakash. "Continuing Legal Education: Rethinking Professional Ethics and Responsibility in India." *Asian Journal of Legal Education* 5, no. 2 (2018): 152-168.

¹⁰ Sharma, Prakash. "Continuing Legal Education: Idea, Need and Relevance." *Need and Relevance (December 24, 2019)* (2019).

¹¹ *Ibid.*

¹² *Id.*

¹³ Popat, D. M. "Legal Education and Continuing Legal Education in India." *Int'l Legal Prac.* 8 (1983): 7.

understanding of these values along with their application in society.¹⁴ However, these are values that seem lacking in the current legal education structure and the students of law are unable to practice these values in the real world as there is a disconnect between the education and legal practice. This is a very important concern that stakeholders must address and take into consideration as it affects the productivity of a legal professional and raises doubts about the competency of the legal fraternity.

Moreover, individually, the habits of a professional with respect to self-study, self-learning and research can determine if such an individual will be successful or not and also affect such individual's outlook towards the profession. It is therefore aptly stated that the chief aim of academic study is not so much the acquisition of knowledge as the creating and maintaining the habits of acquiring it.¹⁵

The need for legal practitioners to improve on their skills and gain more knowledge is a reflection of how effectively they will be equipped to grow and face the challenges of the dynamic world and face them with confidence while serving justice with highest responsibility.¹⁶ We have focused on maintaining certain levels of education but have not really paid heed to the post-qualification professional development which is required for an individual to reach their highest potential and dispense their duties with the highest professional responsibilities.

Thus, we can see that a disconnect in formal education and practical work, motivation and mindsets of individuals and the absence of an organization to promote CLE and similar professional training courses are the biggest concerns we see in the current legal educational and professional field.

UNDERSTANDING CONTINUING LEGAL EDUCATION ('CLE')

One of the most crucial concerns that has been highlighted throughout this discussion is that of the quality and competency of lawyers to adapt to changing times and emulate the developments of the rapidly changing times. There exists a disconnect in the legal practice – on one hand we have lawyers with considerable amount of experience, who have been working in the field of law for a while and understand the ropes of the business who we always look to when we require sound, reasoned and accurate legal advice. While on the other hand, we have those fresh graduates who have knowledge on the recent laws and multiple specialized subjects but lack the expertise of application of this knowledge in the real world. This does bring about an opportunity for collaboration between the two generations of lawyers, however, it is not always the answer for when such situations arise which are always one too many. This

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Chakraborty, Anirban, and Yashomati Ghosh. "Promoting continuing legal education: a step towards implementing the second generation legal reforms for creating competent lawyers in the new century." *Asian Journal of Legal Education* 2, no. 1 (2015): 29-45.

disconnect can consequentially lead to delay, incorrect application of law and missing out on the bigger picture and requirement of the problem. To circumvent this gap, one tool that can be used to is continuing legal education (CLE) or minimum continuing legal education (MCLE) or continuing professional development (CPD). For the purpose of this article, we will use the reference of CLE for avoidance of any ambiguity.

CLE refers to a programme of professional education that a lawyer / attorney is supposed to undertake after their preliminary enrolment in the relevant bar. However, these programmes are not universal and differ in different jurisdictions and is at the discretion of the respective a bars. Further, CLE is not mandatory universally and the requirement of CLE also depends on respective jurisdictions. While CLE programmes do not have a uniform structure and curriculum, they typically fuse together formal educational methods such as lectures, workshops, seminars etc. with practical experiences to satisfy the requirement of the profession. Further, these programmes are usually offered and sponsored by the relevant state bars, universities or any organization that specialize in these types of professional training.

To understand CLE better, the primary objective of having a programme like CLE is to impart knowledge that is developed during the post-academic years of a lawyer and being up to date with current legal trends, developments and most importantly, changes in domestic and international law. Furthermore, CLE does not limit itself to acquiring knowledge alone, but also train them to acquire professional values and ethics which strengthened the professionalism in a lawyer. Values such as accurate and competent representation, conducting work keeping in mind principles of natural justice, inducing a sense of accountability and responsibility towards the work, client and the profession are integral to a competent lawyer.¹⁷ In certain countries like the USA, CLE is a mandatory programme in a few states to ensure competence of the members of the bar and ethics training.¹⁸ CLE programmes also aim at enhancing over-all development of legal professionals to ensure that the persons responsible for dissemination of justice are always competent, abreast with new knowledge and hold the capacity for always holding the highest level of justice.¹⁹ The sense of justice shall stem from moral as well as professional responsibility and acquiring the importance of such values is essential to have in place a robust and dependable legal system.

MODELS OF CLE

Now that we have a fair idea of what exactly CLE is and its importance in the current legal system, we can analyse the existing CLE models to develop a

¹⁷ Ibid.

¹⁸ Schein, David D. "Mandatory Continuing Legal Education: Productive or Just PR?" *Geo. J. Legal Ethics* 33 (2020): 301.

¹⁹ *Id.*

sense of how CLE actually works. For this purpose, we will be looking at CLE programmes from two countries – the United States of America (USA) and Canada.

THE AMERICAN MODEL

The USA is one of the first countries to introduce the concept of CLE. CLE is not mandatorily followed through all states of the USA and the manner in which they are administered are also different. It is the supreme court of each state who decides on the rules, regulations and degree of requirement of CLE in each state. USA has made attempts to have a uniform format in place with the help of the American Bar Association (ABA). The ABA formulated model rules for CLE which can be applied in individual jurisdiction to bring a sense of consistency in the CLE procedure.²⁰ Initially, it was the bar association in New York which started offering a series of expert lectures in 1916 followed by Cleveland in 1938. These kinds of lectures soon became popular, and USA adopted CLE. The objective of these courses was to bridge the gap between law school education and practical experiences of lawyers.

Currently, legal professionals in the USA can achieve the CLE requirements by earning credits which are measured in hours over a set period of time. Professionals can attend legal training provided by experts in various fields which account for most common ways of earning CLE credits. However, CLE credits can also be earned by self-study and reviewing reading materials. In recent times, many jurisdictions have allowed for CLE credits to be earned through online courses, distance learning and with the help of audiobooks.

In New York, CLE credits can be earned by speaking or teaching in CLE programmes, participating in panel discussions, teaching at ABA accredited law schools, publishing legal research-based writings and undertaking pro-bono legal services.

Thus, we can state that the USA has various mediums through which they offer CLE programmes to the American legal professionals.

CANADIAN MODEL

In Canada, CLE is referred to as Continuing Professional Development (CPD). The Law Society of Ontario defines CPD as "the maintenance and enhancement of a lawyer's or paralegal's professional knowledge, skills, attitudes and professionalism throughout the individual's career".²¹ They further state that it is a 'positive tool' that benefits legal professionals to ensure that legal services are provided to the public in a competent and ethical manner. Lawyers and paralegals are supposed to undertake CPD programmes for

²⁰ American Bar Association, "Mandatory CLE" (April 1, 2022) // <https://www.americanbar.org/events-cle/mcle/>.

²¹ Law Society of Ontario "Continuing Professional Development Requirement, Continuing Professional Development Requirement - Lawyer," (2020) (April 1, 2022) // <https://lso.ca/lawyers/enhancing-competence/continuing-professional-development-requirement>.

12hours each calendar year out of which three hours are to be dedicated to courses on ethics, professionalism, practice management, etc. Professionals can earn credits through attending off-line and online courses, streaming videos, attend webinars and online conferences, etc. Furthermore, CPD credits can be earned by undertaking teaching assignments, undertaking supervisory roles, writing and/or editing books and articles, and other such activities hosted by CPD programmes.²²

BENEFITS OF CLE

CONSISTENT LEARNING

One of the key benefits and need of the hour is consistent learning. As we have highlighted ample number of times in this article, law is a dynamic field with changes happening on a day-to-day basis and the characteristics of existing laws changing with the change in the society. We are well aware that one of the pre-requisites of a legal professional is the need always to study the changes in laws and legal situations to keep oneself abreast with the developments and study their implications. Having CLE programmes in place would ensure that all legal professionals are mandatorily required to keep pace with the developments in the world and analyse how to implement this new knowledge.

CLE programmes also allow for professionals to learn new skills which would be beneficial for the professionals to carry out their duties and not violate any ethical codes while doing so. CLE programmes can generate more informed and competent lawyers who are equipped with the updated knowledge and recent legal developments with the ideal level of competence and ethical working values.

KNOWLEDGE SHARING

Along with consistent learning, a unique feature of CLE programmes is the fact that there is a large scope for knowledge sharing. CLE programmes are for professionals with prior legal knowledge and experience in the practical world, not for students who have just graduated high school with not barely any knowledge of the legal world. This allows for not only learning recent developments, but also knowledge sharing between peers. CLE programmes are conducted by peers and professors, who are at the end of the day, colleagues and this can result in a healthy dialogue where people can discuss various perspectives and learn from each other.

Acquisition of knowledge is one facet of advanced legal learning; but learning from real-life experiences of peers is extremely beneficial as no textbook or article can teach that. CLE programmes provide a platform for people from the fraternity to come together to discuss and deliberate on the

²² Chakraborty, Anirban, and Yashomati Ghosh. "Promoting continuing legal education: a step towards implementing the second generation legal reforms for creating competent lawyers in the new century." *Asian Journal of Legal Education* 2, no. 1 (2015): 29-45.

current legal developments and provide their inputs on important matters and share perspectives. This results in all-round development of a professional and forces critical and analytical thinking in the minds of the legal practitioners providing a wider point of view.

COMPETENT WORKFORCE

The most important reason for CLE programmes is the requirement to generate a competent, sound and well-informed workforce. The largest concern we face today in the legal world is that the professionals are not always competent and fall short of certain skills and expertise when it comes to providing their services. Whether it is the inability to reserve time for self-study or the lack of motivation or a combination of both of these factors, legal professionals forget that continued learning is the key to competence and get overwhelmed with their work.

CLE programmes would mandatorily require legal professionals to set aside time for updating their knowledge and sharpen their skills as a lawyer. This would enable legal professionals to stay updated with the changes and learn important developments.

CLE programmes are also targeted towards professional skill developments. While there may be clinical legal education to help students to acquire some of these skills, the prior experience of working in the real world really stimulates the understanding of skills at a deeper level and the professionals can realize the skills which are lacking and improve on them. These skills could include skills like negotiations, research, drafting, etc. which are integral to the workings of a legal professional.

OPPORTUNITY FOR NICHE LAWYERS

Since CLE is targeted at enhancing legal education advanced level with the focus being on recent developments in the field of law and other related fields, it provides legal professionals the opportunity to pursue more specific and niche areas of law where there may be a deficit of professionals to provide the required services. Professor N. L. Mitra in his commencement speech at NALSAR, Hyderabad had, commented on the lack of lawyers who are experts in certain niche fields of law. This programme can be an excellent opportunity and a platform for legal professionals to indulge in advanced learning and expert trainings in niche subjects.

Legal professionals can hone and improve their knowledge and acquire skills in subjects not taught during their undergraduate degrees and can even become industry pioneers.

SHORT COMINGS OF CLE PROFESSORS / RESOURCES

CLE Programmes are usually hosted by expert legal professionals and

professors of law who are involved in teaching advanced legal studies. Generally, these professors are already engaged in teaching at universities at post-graduate and doctoral levels, which in themselves are highly demanding. In such a scenario, getting on board quality professors and experts can be a big task and result in fewer experts agreeing to undertake the task of teaching CLE programmes. CLE programmes also require highly qualified and competent experts who can participate in dissemination of knowledge and partake in discussions that are central to the idea of advanced learning.

However, with professors being burdened with regular work, taking up responsibilities for CLE may seem overwhelming to some and can result in the bar / CLE department being unable to find competent educators and contributors.

TIME CONSUMING & LACK OF MOTIVATION

Following the previous point, time is an essential commodity for legal professionals and professors to have to indulge in advanced learning. With the current pace of the world, it is difficult for individuals to take out time for extra learning.

Furthermore, when people reach a certain level in their career, it is more of a psychological phenomenon that people are more reluctant to the idea of advanced learning than being eager for it as it implies that the individual is not a 'know-it-all' and is still at a place where they need to gain further knowledge. Thus, unless CLE is made mandatory, a lot of people would simply choose to ignore the programmes due to time constraints and lack of motivation stemming from a rigid mindset, along with other reasons. This is the result of practical inability and the factual reaction of people to programmes like CLE.

INFRASTRUCTURE

One of the two main challenges of setting up the CLE programme is infrastructure. Developing infrastructure to hold classes, seminars, conferences, etc., requires space, sanctions, funding and many other kinds of assistance from governments and the bars. Lack of infrastructure could very well be the reason why advanced learning programmes are limited and expensive.

Further, even if the bar were to hold classes, activities online, having a stable technical infrastructure in place, not only at the organizers end but also at the participant's end, is extremely crucial. Usage of data, software, access to online databases, libraries, etc. is expensive and requires servers, hosting websites, etc. There needs to be significant investment in setting up the infrastructure, maintenance of it and management of the same.

FUNDING

Finally, the second most important challenge to CLE is funding. While the

idea of hosting advanced learning classes and improving the legal education standards seem ideal and fascinating, the practical application of CLE programmes is costly and time-consuming. Setting up decent infrastructure, engaging competent professors and experts, setting up resources for people to access, etc. requires a good amount of investment. As we have seen in the examples of the USA and Canada, it is the responsibility of the respective bar councils to govern and manage CLE programmes. Following the same example, if India were to set up a robust CLE programme, it would result in heavy investment which the bar council would have to make. This can prove to be a difficult task if there is no adequate support for this at the central and state government levels. Thus, consistent and significant funding is essential for setting up of the CLE programme at a national level which would satisfy the requirements of the Indian legal fraternity.

CONCLUDING REMARKS

The BCI in its Vision Statement of 2011-2013 had stated that Indian legal profession cannot view itself in isolation²³ and impressed upon the requirement for viewing the legal profession in India with an international perspective. BCI also stated the importance of lawyers needing constant training to improve themselves and build a strong practice and impressed upon the requirement for continuing legal education in India.²⁴

We have extensively discussed the benefits, the hurdles and the requirement of CLE in India and it goes without saying that considering the background of legal education in India and the abundance of opportunities available, that CLE programmes shall be introduced as a formal feature of advanced legal education in India. BCI was of the opinion that using methods such as seminars, workshops shall be conducted and various stakeholders like the state bar councils and high courts, etc. shall be actively involved in setting-up of a comprehensive CLE programme.

CERTAIN RECOMMENDATIONS TO INITIATE CLE IN INDIA

- Constitution of CLE committee / department who will be responsible for researching and studying the requirement of Indian legal professionals which shall consist of important stakeholders from state bar councils, professors, researchers, practicing lawyers, law firms, representatives from corporate legal sectors, etc. who can provide a diverse and broader perspective on the requirements.
- This committee can then take decisions relating to the curriculum, the activities and design the CLE programme taking into consideration the real-

²³ The Bar Council of India, "Vision Statement 2011-13, Bar Council of India;" (2011) (April 1, 2022) // <http://www.barcouncilofindia.org/about/about-the-bar-council-of-india/vision-statement-2011-13/>.

²⁴ Anirban Chakraborty & Yashomati Ghosh, *supra* note 20.

time requirements of legal professionals.

- Further, this committee will be responsible for collaborating with national and international organizations, universities and think tanks to provide access to Indian legal professionals to international issues and participate in solution-based activities.
- The main objective of CLE has been to strengthen the competency of lawyers and legal professionals. There are certain added beneficial outcomes that we can witness on initiating a standardized CLE regime –
- Skill development in legal professionals to provide better services
- Appropriate justice dissemination system with competent and skilled lawyers
- Diminishing the gap between legal education and legal professional practice with practical applicability of knowledge gained and skills learned
- Opportunity to learn from training programmes from premiere institutions and access to knowledge and skill development sessions
- Training in specialized areas of law with relevant training and skills to create a competence in niche areas.
- Collaborations between national and international organizations and increasing the network of legal professionals globally.
- Institutionalizing CLE programmes through bar councils and law schools
- Creation of a well-read and skilled legal fraternity
- From the discussions above we can preliminarily conclude that CLE programme is an important introduction in the Indian legal industry to boost development and allow it to reach its full potential. It should be applicable mandatorily in a standardized manner. There may be a push back initially but in the long run and for the benefit for the legal practitioners in India, introducing mandatory continuing legal education programmes in India.

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