Warburton Attorneys

Sustainability Law Specialists

What does Legal Practice Require of the LLB Curriculum in 2012?"

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WARBURTON ATTORNEYS COMPANY PROFILE

- **Established in 2000 – located in Johannesburg (53 Dudley Road, Parkwood (Rosebank), Johannesburg)**

- **Five admitted practising attorneys, one candidate attorney and a paralegal** *(refer to Employment Equity Plan and Affirmative Action Policy Statement and related documentation)*

- **Specialises in sustainability law, focussing on environmental law, climate change law and occupational / mine health and safety law**

- **Clients include environmental consultancies, large industrial and mining companies, small to medium sized industrial operations, foreign embassies, non-Governmental Organisations (NGOs).**

- **Ranked as a "Highly Recommended Firm" in the environmental law category in the 2007 to 2011 PLC Which Lawyer Yearbooks**

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Attorneys profession

- Too many attorneys? *Oversubscription to the attorneys' profession (*Dave Dewar, *De Rebus*, June 2011).

- Personal:
  - BA (UKZN – 1985 to 1987)
  - LLB (UKZN 1988 and 1989)
  - LLM: Marine and Environmental Law (UCT – 1999)
  - PG Dip.: Drafting and Interpretation of Contracts (UJ – 2004).
- University of life.
- Journalism.
- Teaching of English to foreigners.
- Design of training for teachers of English to foreigners, including devising and drafting materials: interactive.
- NWU – climate change law.

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Candidates

- Small firm in a boutique area of practice means that CAs cannot hide:
  - Physically.
  - Professionally
- CA - vast majority of the work, from the beginning, is language-based (English) – as opposed to days spent in application court.
- Personal contact with all of the senior staff.
- Emphasis placed on written skills – time taken to develop these skills in the frame required by the firm.

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Process for hiring CAs

- Minimum requirement: LLM in environmental law (previously – “a demonstrated interest”).

- Initial interview with one senior staff-member.

- Second interview with other senior staff-members, including a writing test:

- Writing test:

  - Within the context of environmental legal practice.

  - Intended not to test substantive knowledge but, rather, the ability to express legal information in writing (but a CA with an LLM is expected to know the area).

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Broad issue

- Generally - stark lack of ability of candidates with LLB to express themselves:
    - Sometimes verbally.
    - More often than not: in writing:

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Writing

- Grammar
- Creative and deductive thinking
- Lateral leaps in logic.
- Reticence of candidates to step beyond their comfort-zone, e.g., EIA issues, and to engage with other areas of environmental legal practice, e.g., waste or contaminated land.
- Knowledge of sources.
- Referencing.
- The internet (there be dragons – especially in the Kingdom of Wikipedia and its vassal states).

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Candidates

- "A possible solution is to make law degrees harder to obtain, which would reduce the numbers entering the market as only the best would be able to obtain a degree."(Too many attorneys? *Oversubscription to the attorneys' profession (*Dave Dewar, *De Rebus*, June 2011).

- Basic legal skills of law, language and curiosity which would make candidates more confident to tackle the practice of law, unfamiliar legal territory legal.

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CONTACT DETAILS

Thank You

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