

Hong Kong Legal Education LLB/JD/PCLL

If you are currently studying in a law school in Hong Kong or planning to do so in the near future, you may find this article useful. I would like to discuss the legal education landscape in Hong Kong and what challenges law students may face and need to overcome to get good grades in law school in general, especially one in Hong Kong.

A usual track to become a lawyer in Hong Kong is to first get a LLB in a Hong Kong university (including, for example, HKU, CUHK and City University) or in an overseas university offering common law legal education. Alternatively, people from a non-law degree can apply for a JD offered by primarily HKU, CUHK and City University. Upon finishing the LLB/ JD, students can, depending on their results, go on to study PCLL, which is a professional practical legal course preparing students to become a lawyer after the one-year study. The way to becoming a lawyer does not end here. After graduating from PCLL, lucky ones will have already secured a traineeship contract with a law firm and start the two-year training, after which they will be qualified as a solicitor in Hong Kong. A similar mechanism applies for those wishing to become a barrister. After graduating from PCLL, usually they will have already secured a pupillage offer with chambers and start the one-year training in different chambers, after which they will be qualified as a barrister in Hong Kong. Of course, there are some details omitted given the length of words.

In law schools, students may face a lot of difficulties in academic studies. This is especially so for first-year law students who are not used to thinking legally. The hardest thing about studying law is that you are forced to think like a judge at the outset when you are in fact just in touch with the legal concepts. Professors do not expect you to write superficial legal statements without understanding the legal development, interrelationships among legal doctrines and the rationales behind. You are asked to think and write like a professional right from the beginning of your legal studies. This is just so intimidating and frustrating to a freshman. So, either you are particularly smart or you will be going through a painful journey in studying law. I would advise law students to think thoroughly about two questions whenever you are coming across any legal doctrine: (i) what IS the law and (ii) what SHOULD BE the law. The first question is a descriptive one. So you need to understand the current and past state of law, as well as the interconnection among the different cases and pieces of legislation. The second question is a prescriptive or normative one. You need to come up with how the law should develop given the legal development and the different rationales underpinning previous cases and legislation. Is a particular case concerned consistent with the previous rationales established in case law? (legality question) Are those rationales justified? (power of the court to develop the law?) Should more rationales be considered amid social changes? Does the body of case law make sense in terms of consistency? How should one interpret the different judges' view in the same case or cases concerning a similar set of facts? There are many questions as such. If you are able to identify these questions, think about them deeply in your studies and arrive at a sensible conclusion, I am pretty sure you will get an A grade in all law subjects.

If you would like to know more about how to think legally and tackle with your law exams, you can know more about me and make an appointment.

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