

## THE ROLE OF A LEGAL SECRETARY IN PREPARING CANDIDATE LEGAL PRACTITIONERS AND LAW GRADUATES FOR LEGAL PRACTICE

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**Abstract:** *Legal secretaries are not legal practitioners; yet, they are in a position to provide valuable practical and professional training to candidate legal practitioners, during their term of practical vocational training, as well as to law students performing paralegal services at university law clinics. In a country like South Africa, legal secretaries mostly perform administrative work in law firms and at university law clinics. Despite their administrative knowledge, they also accumulate experience in the drafting of various legal documents, legal ethics, professionalism and, sometimes, even legal knowledge. This experience puts legal secretaries in the position to assist legal practitioners with training candidate legal practitioners and law students for entry into legal practice. Such additional training becomes important in light of the fact that legal practitioners, and even legal academics, have complained about the competence of law graduates who enter legal practice – they simply do not have sufficient practical knowledge and the relevant skills that practice requires. Conventionally, legal practitioners act as principals for candidate legal practitioners, which task is statutorily ascribed to them when candidate legal practitioners enrol for practical vocational training. Legal secretaries are not conventional trainers. In this article, it is argued that there is a firm theoretical foundation to recognise the important role that legal secretaries can play in the professional and practical upbringing of candidate legal practitioners and university law clinic students. The doctrines of constructivism and kinesthetics learning are relevant in this regard. It is argued that legal secretaries should be seen as “para-lawyers” or legal assistants in the sense that they should work with legal practitioners in providing practical and professional training to candidate legal practitioners and students. It*

*is trite that university law schools use the lecture method to teach law, resulting in law graduates mainly receiving theoretical training with little to none practical experience. Work-integrated learning is important for law graduates wanting to be admitted as legal practitioners and legal secretaries can make a contribution, especially legal secretaries who have years of experience behind them.*

**Keywords:** legal secretary; law graduates; law students; candidate legal practitioners; candidate attorneys; legal practice; work-integrated learning; para-lawyers; legal education; practical legal training; professional legal training; constructivism; South Africa.

## **Introduction**

Legal secretaries are well-known human resources in legal practice. Almost all law firms, irrespective of how big or small they might be, benefit from the services of one or more legal secretaries. Apparently, and especially in a country like South Africa, these services are predominantly administrative in nature, including maintaining the reception desk, organising diary entries, typing, sorting mail, attending to setting agenda and constructing minutes of meetings, attending to ordering and maintaining office supplies, to name but a few. It may therefore seem unorthodox to link a legal secretary with the practical training of law graduates in preparing them more adequately for legal practice. Law graduates, in this context, refer to graduates who have been registered for practical vocational training (hereafter referred to as “PVT”) at law firms, university law clinics (hereafter referred to as “ULCs”), Legal Aid South Africa (hereafter referred to as “LASA”), the State Attorney’s offices, as well as at other institutions that are authorised to offer PVT to law graduates. As will be indicated elsewhere in this paper, the task, of training candidate legal practitioners (hereafter referred to as “CLPs”) during their PVT, is mainly that of the CLPs’ principals.

It however cannot be ignored that legal secretaries also play a somewhat important role in training CLPs for legal practice. As will be made clear in this paper, the training, provided by legal secretaries, may not have been formally agreed on in a document or even expected by a CLP or principal attorney – it is submitted that this happens

automatically and, somewhat, unconsciously. On a daily basis, CLPs are in contact with legal secretaries for various reasons and, during such contact sessions, training takes place, mostly with neither the secretaries nor the CLPs even realising that training is being provided and experienced respectively.

The focus of this article is therefore to provide some insight into the important role that legal secretaries play in contributing to the training of CLPs for legal practice in a South African context. It will also be indicated that this training may also be provided to law students who are involved in vacation and shadow work at law firms or any of the abovementioned institutions. Training to students will facilitate legal education, provided by universities, which will contribute to the practical knowledge base and experience of law students. It also indicates the important role that legal secretaries can play in the career of even law students.

In a South African context, “candidate legal practitioner” can refer to either a candidate attorney, who engages in PVT at an attorney’s office, or to a pupil, who engages in PVT an advocate’s chambers (Section 1 of the Legal Practice Act 28 of 2014). For purposes of this article, CLP shall refer to a candidate attorney. This, however, does not mean that the content of this article is not applicable to pupils also. Similarly, “legal practitioner” and “principal” will refer to an attorney and not to an advocate.

It must be indicated that, although this article is written from a South African perspective, the value of a legal secretary in relation to the practical and professional upbringing of CLPs and law students, applies worldwide.

## **1 The legal secretary: an overview**

Traditionally speaking, legal secretaries are not educators. They are also not academics. Their primary function is to provide

administrative support to legal practitioners and, in such a way, contribute towards the flow of legal processes.<sup>1</sup> These broad tasks include, but are not limited to, typing of legal documents, managing correspondence, interacting with clients, as well as organising important documents.<sup>2</sup> Their duties are specifically directed at what is required in the legal administrative field, although they also perform some general secretarial and administrative duties.<sup>3</sup> Legal-specific tasks include typing and preparing legal documents for legal practitioners. These include both legal letters, pleadings and agreements. More general secretarial tasks include liaising with the clientele and other stakeholders of the particular law firm, managing files, records and the appointment calendars of legal practitioners, attending to travel arrangements of legal practitioners and/or other staff members of a law firm, as well as attending to the resources and inventory of a law firm, including stationery, office furniture, payment of overhead bills, etc.

In light of the title of this article, it is essential to explore the relationship between legal secretaries and law graduates, as well as between legal secretaries and law students still awaiting graduation. These two categories of persons are important for the mere fact that they are aspiring to be admitted as legal practitioners. Law graduates are usually appointed by legal practitioners at law firms for the purpose of the graduates being enrolled as candidate legal practitioners (hereafter

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<sup>1</sup> The Lawyer Portal. (2025). “What is a legal secretary?” [What is A Legal Secretary? | The Lawyer Portal](#) (accessed 2025-08-28); CareerExplorer (2025) “What does a legal secretary do?” [What does a legal secretary do? - CareerExplorer](#) (accessed 2025-08-28).

<sup>2</sup> The Lawyer Portal. (2025). “What is a legal secretary?” [What is A Legal Secretary? | The Lawyer Portal](#) (accessed 2025-08-28); CareerExplorer (2025) “What does a legal secretary do?” [What does a legal secretary do? - CareerExplorer](#) (accessed 2025-08-28).

<sup>3</sup> Indeed (2025) “Learn about being a legal secretary” [Learn About Being a Legal Secretary | Indeed.com](#) (accessed 2025-08-28); Indeed (2025) “Legal secretary job description: top duties and qualifications” [Legal Secretary Job Description \[Updated for 2025\]](#) (accessed 2025-08-28).

referred to as “CLPs”) to engage in practical vocational training (hereafter referred to as “PVT”). In South Africa, CLPs must perform PVT for a period of two years, after which they can apply for admission as legal practitioners. Law students usually apply to law firms for purposes of shadowing legal practitioners, CLPs or other staff of the law firm. The purpose of shadowing is to learn more about the legal profession and to obtain some practical knowledge about legal procedure, ethics, professionalism and the overall daily experience of what it is like to be a legal practitioner in a law firm. Irrespective of whether they are CLPs or law students, they will engage with legal secretaries at a law firm. This engagement lays the foundation for the question: what can CLPs and law students learn from legal secretaries?

At this point, it must be stated that the answer to the aforementioned question will not be provided immediately. Instead, the answer will unfold as the discussion in this paper progresses.

## **2 Conventional training of graduates in legal practice**

In the previous section, it was stated law graduates, who aspire to be admitted as legal practitioners, are required to undergo PVT before they can be admitted (see the definition of “practical vocational training” in the Legal Practice Act 28 of 2014). What happens in practice, is that graduates will start to apply for PVT opportunities during their time at university, most commonly in their final academic year. They can apply at law firms, ULCs, LASA, the State Attorney and a few other instances. Should their applications be successful, they need to be formally enrolled as CLPs by the Legal Practice Council (hereafter referred to as the “LPC”). The LPC is a statutory body that oversees the functions of legal practitioners and CLPs (Section 4 of the LPA) as well as the operation of legal practice in South Africa (Section 5 of the LPA sets out all the objectives of the LPC).

The enrolment of CLPs, as well as their eventual admission as legal practitioners, are governed by the Legal Practice Act (hereafter referred to as the “LPA” - 28 of 2014). Section 24(1) provides that a

person may only be practising as a legal practitioner if he/she is admitted as a legal practitioner and, as such, enrolled in terms of the LPA. Section 26 sets out the requirements for a person to commence with PVT and to eventually be admitted as a legal practitioner. The requirements are the following:

- the person must have an LLB degree obtained from a South African university (Section 26(1)(a));
- the person may have a law degree, obtained in another country, equivalent to a LLB degree and recognised by the South African Qualifications Authority (Section 26(1)(b));
- the person must have completed certain PVT requirements as a CLP that the Minister of Justice and Constitutional Development have prescribed (Section 26(1)(c). This subsection provides for community service - which, at the time of writing of this article, has not come into operation yet), as well as completing a legal practice management course.); and
- the person must have passed a competency-based examination or assessment for CLPs, which examination or assessment is specified in the rules of the LPC (Section 26(1)(d)).

CLPs, who have been properly enrolled, will practice under a principal attorney at a particular law firm or other institution. The principal is the person who is mainly responsible for the professional training of the CLP. The principal must oversee all the work that the CLP does, supervise and approve all letters and documents drafted by the CLP, as well as provide the CLP with sufficient training with regard to legal ethics and professionalism. Usually, CLPs undergo PVT for a period of two years. After this period of PVT, the principal must draft an affidavit in which he or she confirms which training a CLP has completed and that such a CLP is a fit and proper person to be admitted to practice as a legal practitioner. Such an affidavit, together with an affidavit from the CLP him or herself, about the training that he or she has received, is used by the CLP when he or she applies for admission as a legal practitioner.

In reality, as well as generally, principals train CLPs, enrolled under them, in a competent manner. However, principals, as well as

other stakeholders in legal practice and academics, have also expressed their concerns that law graduates, who enters PVT immediately after graduating from university, lacks the necessary practical knowledge and skills required for legal practice (Welgemoed, 2021, pp.4-5; Vukowich, 1971, p. 140; Deventer & Swanepoel, 2012, p.33, Manyathi, 2010, 8; Chamorro-Premuzic & Frankiewicz, 2019)<sup>1</sup>. In South Africa, the university system, as well as the school system, has been blamed for this apparent lack of practical knowledge and skills (McQuoid-Mason, 2006, pp. 166-167; Zitske, 2014, pp. 53-54; Vukowich, 1971, p. 140; Welgemoed, 2021, pp. 5,7). It therefore appears that there is a significant gap between what is taught at university level and what is required by legal practice, as legal practitioners have expressed their desires that universities should train law students how to draft last wills and testaments, how to administer deceased estates, as well as how to apply court procedures in courts of law (Vukowich, 1971, p. 140; Welgemoed, 2021, p. 8).

The aforementioned discussion leads to the conclusion that the primary practical training of law graduates falls upon their principals when they (law graduates) enter legal practice to complete their PVT. The reality is that principals are also busy with their own work during the working day, week, month and year, leading to conclusion that they cannot always be available on all instances when their assistance are required with regard to the training of CLPs. It is therefore suggested that other staff members, employed by law firms, should become

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<sup>1</sup> <https://hbr.org/2019/01/does-higher-education-still-prepare-people-for-jobs> (accessed 2025-08-29); SASSETA Research Department “SASSETA Research Report: assessment of learning conditions of candidate attorneys during a transformation attempt” (March 2019) <file:///C:/Users/mwelgemoed/Downloads/Candidate-Attorneys-study-Research-report-final-revised-25-03-2019-1.1.pdf> (accessed 2025 - 08-29) 30-31. Sasseta specifically commented on the “very sloppy” work and initiative of some candidate attorneys. In this regard, it must be kept in mind that most candidate attorneys just came from university law school training and therefore, this may reflect on the training received while at university.

involved in the active practical training of CLPs (Welgemoed, 2021, p. 156). It is suggested that, on its own, this approach is not satisfactory, as it should be combined with skills and ethics training at university level (Welgemoed, 2021, p. 157). Whatever the case may be, it will be argued, for purposes of the topic of this article, that this approach cannot – and should not – be overlooked in legal practice, as there are some valuable segments of knowledge, practical approaches and skills that can be taught to CLPs by other members of law firms. The same can be said about the training of law students at ULCs by staff members employed there. These arguments become all the more important if it is kept in mind that there is no dedicated heuristic training in the LLB curriculum in South Africa (Welgemoed, 2021, p. 31). This stands in contrast with medical, pharmacy, teaching and psychology students who all undergo heuristic training while at university (Parmanand, 2003, p. 193). This type of heuristic training is a valuable type of work-integrated learning (hereafter referred to as “WIL”) (Evans, Cody, Copeland, Giddings, Joy, Noone and Rice, 2017, p. 25). Students require WIL to become more familiar with their professions and to gain most desired workplace experience (Lukins, 2022).

This now brings the focus to the role that a legal secretary can play in the professional training and upbringing of CLPs and law students. It will be argued that they should be viewed as “para-lawyers” or, differently termed, legal assistants, to principals as far as the training of CLPs and law students is concerned (Dean, 1983, p. 188; De Rebus, pp. 387-390; Welgemoed, 2021, p. 370). This aspect will be elaborated on in the next section of this article.

### **3 The impact of the legal secretary on the training of candidate legal practitioners and graduates**

#### **3.1 General**

As stated in the Introduction to this article, it might appear to be unorthodox to link the office of a legal secretary with the practical training and professional upbringing of CLPs and law students. One would be inclined not to consider legal secretaries, who are



administrative staff members at law firms, to be involved in the training of law graduates who are undergoing PVT with the view of being admitted as legal practitioners. It is submitted that such an inclination would be very far removed from the truth, as will be argued in this section of this article.

The point of departure in this section is a simple statement: legal secretaries play an active role in the practical, professional and ethical training of law graduates and CLPs. This has been going on for quite a few years and will continue to happen in future. But why?

### **3.2 Legal secretaries, CLPs and law students – a valuable professional relationship**

Law students, at ULCs, and CLPs, at law firms, must come to terms with a somewhat harsh reality: they are the least qualified professional persons in ULCs or law firms (Hansjee & Kader, 2010, 2). For this very reason, it is submitted that they should open themselves up to be trained for purposes of the legal profession by anyone at a ULC or law firm who can contribute as far as training for legal practice is concerned. Legal secretaries are no exceptions. In fact, legal secretaries, more specifically the principals' secretaries, have been described as a CLP's "best friend" during a term of PVT (Hansjee & Kader, 2010, 2). Legal secretaries, especially experienced ones, can provide a lot of ease and pleasant professional experiences to the daily life of CLPs. (Hansjee & Kader, 2010, 2). The reason for this is that legal secretaries may have years of practical experience and knowledge with regard to drafting of legal documents, where to go to find information, as well as how a principal prefers work to be done (Hansjee & Kader, 2010, 2). With regard to the last mentioned aspect, a principal's legal secretary can be a valuable go-between person between a CLP and his/her principal, almost acting as a buffer, especially if the principal is a difficult person to work with (Hansjee & Kader, 2010, 2, p. 17). It is therefore not advisable that CLPs, or even law students, should act rude or in an arrogant manner against legal secretaries, as they (the secretaries) may have a profound

influence on the way in which the principal views the CLPs registered under him/her; thus, a CLP's professional journey may be in serious trouble due to arrogance or bad attitudes against other staff members in a law firm, including legal secretaries (Hansjee & Kader, 2010, 2). The same applies to law students should they have adverse attitudes toward legal secretaries at ULCs – universities might not be willing to provide them with certificates of good standing should it be found that they have misbehaved in any way.

It is therefore clear that legal secretaries cannot only provide CLPs with practical and professional support, but also with moral support as far as their (CLPs') principals are concerned (Hansjee & Kader, 2010, 2, p. 17).

### **3.3 Important professional and practical experience**

The author wishes to include some personal experience as point of departure in this section of the article. As stated before, experienced legal secretaries carry a wealth of knowledge and experience with them, which knowledge ranges from legal professional ethics to the everyday work requirements of an experienced legal practitioner. As an inexperienced law graduate, writer depended to a significant extent on the assistance of legal secretaries when enrolled for PVT. The secretaries provided valuable guidance with regard to the drafting of legal documents, diarising client files, maintaining client files, arranging appointments, communicating with clients and other stakeholders via telephonic calls, as well as how to approach staff members at the various courts and even managing the day-to-day operations of a law firm, to mention but a few items of assistance. It must be kept in mind that universities do not, conventionally, teach these practical aspects to law students. Law students may get into contact with it while undergoing Clinical Legal Education (hereafter referred to as "CLE") at ULCs or while performing vacation work at law firms and/or other institutions, but, otherwise, it is left to legal practice to train students how to perform the mentioned items satisfactorily.

Some of the aforementioned items require additional discussion to indicate the true impact that a legal secretary can have on the training

of CLPs and law students.

It is extremely important that CLPs and law students know how to maintain client files. Hansjee and Kader articulate it quite well when they state that the manner, in which a CLP maintains a client file, "...could mean the difference between impressing your principal and a nervous breakdown." (Hansjee & Kader, 2010, 6). Legal secretaries can assist CLPs with filing of documents and how to file each document in a dedicated section in a client file (Hansjee & Kader, 2010, 6). File notes are equally important, as it assist with having an accurate record of what is happening in a particular matter (Hansjee & Kader, 2010, 6-7). As legal secretaries frequently answer telephones and speak to clients, they are skilled in taking notes and conveying messages to various staff members in a law firm. They can therefore guide CLPs with regard to the best way to take notes, how to ensure that notes are clear and unambiguous to understand, as well as how to best take notes based on telephonic calls. Writer recalls how a legal secretary has taught him to make notes on client files immediately after communicating with a client or other stakeholders via telephone. This will ensure that notes are written down or typed out while the information is still fresh in the mind. The secretary has also made it clear that notes should not be written on the so-called sticky notes or small pieces of paper that can be lost easily. This may result in crucial information being lost or, worse, fall into the wrong hands, thus resulting in a serious breach of confidentiality and compromising attorney-client privilege.

It is important that every CLP and law student, undergoing CLE at a ULC, knows how to properly diarise client files and make notes about dates on which certain tasks must be performed. It is undeniable that, should important dates be overlooked, such conduct will be stamped as being unethical and unprofessional. This may lead to clients becoming dissatisfied with the quality of legal services that are being rendered to them, possibly resulting in them seeking legal assistance elsewhere. Legal secretaries know the importance of diarising issues and maintaining legal representatives' diaries as far as appointments, court

appearances and travel arrangements are concerned. They can therefore guide CLPs and law students in this regard.

When it comes to the drafting of documents, it is not surprising that legal secretaries can be one of the best sources of information and assistance to CLPs and law students. Especially experienced legal secretaries have been involved in the typing and, sometimes, even the drafting of letters and some legal documents. This means that they have a record of various types of letters, pleadings, contracts and other legal documents at their disposal in their data bases. They can therefore provide CLPs and law students with examples of relevant documents. Many CLPs have not encountered real legal letters or even legal documents during their years at university studying law; therefore, should they be assisted with legal documents in this manner, it is a good way for them to compare their theoretical knowledge, about what must be in a particular letter, pleading or document, with what actually does appear in such documents in practice, as well as why it is written in such a manner.

On the topic of legal documents, legal secretaries can also provide CLPs and law students with word processing and information systems. The writer can mention several instances where a legal secretary has assisted with the setting of document margins, alignment of paragraphs and compiling document compilations in PDF bundles – apparently simple tasks for frequent word processors, but not so usual for occasional advanced word processors. In this context, CLPs, law students and even experienced legal practitioners are inclined to spend more time on legal research, drafting legal opinions and preparing for court appearances than spending time on advanced word processing.

Legal secretaries, specifically performing the task of bookkeepers, can also assist CLPs and even experienced legal practitioners to understand electronic accounting systems better.<sup>1</sup> CLPs

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<sup>1</sup> Many legal practitioners appoint bookkeepers specifically for the task of handling the accounts and bookkeeping of their law firms. It may, however, happen

and legal practitioners are more interested in observing the end-of-the-month status of client accounts than learning more about how a particular accounting system works. Should they therefore have questions about how certain calculations had been done or how client funds had been allocated, legal secretaries can provide clarity on how the particular accounting system is processing relevant figures.

When it comes to managing the daily operations in a law firm, the most plausible assumption would be that directors and/or senior attorneys of law firms should explain the intricacies, associated with such management, with CLPs. It is however nothing unusual to expect such a task from a legal secretary, especially one that also doubles as the office manager of a particular law firm. For students undergoing CLE at ULCs, there is generally no business management or office management training, as ULCs conventionally do not focus on such management (Bodenstein, 2018, p. 56). Clinicians at ULCs can set up workshops and programmes to teach office and business management to law students (Bodenstein, 2018, p. 56-57). It is submitted that legal secretaries, with adequate experience in handling the daily management of a law firm, should be approached to assist with such training, especially as far as the office management is concerned. Such legal secretaries may have extensive experience in ordering office supplies, paying office bills and perform other management related tasks and can enlighten students and CLPs as such.

The most unexpected role, that a legal secretary can possibly play, is that of a legal practitioner. It is however submitted that the skills of legal secretaries, especially experienced ones, should under no circumstances be underestimated in this regard. Although no degree qualification is required for a person to become a legal secretary, some legal secretaries do have legal background due to them having obtained a law degree. Alternatively, especially experienced legal secretaries have

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that one of the legal secretaries doubles as the bookkeeper of a law firm and, in that way, can transfer valuable information in this regard to CLPs and law students.

typed countless legal documents for legal practitioners, including court summons, court applications, demands, warrants of execution, as well as legal opinions and heads of argument. For that reason, they have come into contact with legal doctrine, practical application thereof, as well as where to find the law to base legal opinions and arguments on. Experienced legal secretaries will also be skilled in knowing legal procedure, for example, civil procedure, as legal procedure inherently forms part of legal documents relating to litigation. They are therefore in the ideal position to advise CLPs and law students in this regard, providing CLPs and law students with opportunities to familiarise themselves with sometimes intricate procedural rules without approaching their principals. CLPs and law students are also now in the position to learn more about the law in a more relaxed manner without fear of appearing to be ignorant in front of their principals and other professional staff members at law firms or at ULCs.

Legal secretaries can also assist CLPs and law students to develop a better comprehension of legal ethics and professional conduct in legal practice. It is expected of legal secretaries to have the following skills with regard to legal ethics and professionalism (Tsvety, 2025)<sup>1</sup>:

- they should have a proper understanding of attorney-client privilege;
- they should know how to properly handle secure legal and other documents;
- they should exercise discretion in their conversation with other people, especially as far as confidential information is concerned. They should guard against divulging client information and making themselves guilty of other unethical and unprofessional conduct; and

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<sup>1</sup> [The Role And Significance Of A Legal Secretary - The Law To Know](#) (accessed 18 September 2025).

- they should comply with legal and ethical guidelines. These guidelines may be statutorily prescribed or might form part of practice guidelines set by the courts or regulatory bodies, for example, the LPA or LPC.

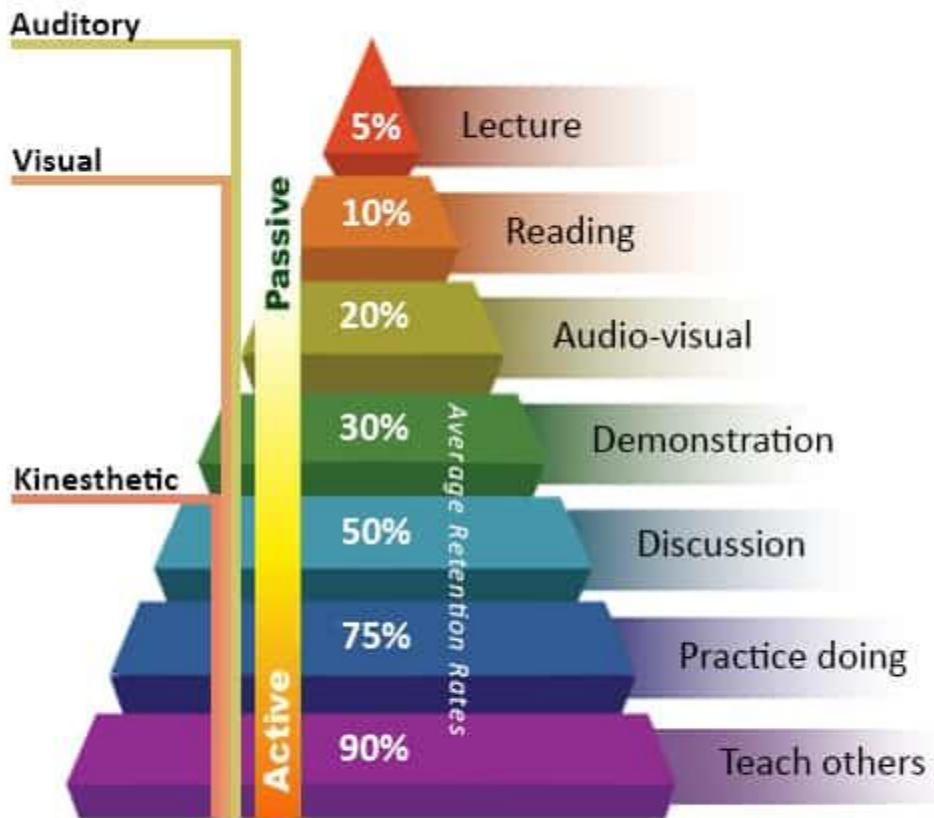
### **3.4 A firm theoretical basis**

Practical experience requires firm theoretical underscoring (Welgemoed, 2021, p. 475). In layman's terms, it can be said that, in order to bake a good cake, one needs a good recipe. For that reason, it is necessary to build an argument for a firm theoretical basis supporting the value that a legal secretary can bring to the professional and practical training of both law students and CLPs.

Students may learn about the practical aspects of legal practice in law school, but may not always be provided with any opportunities to practise their knowledge. The Learning Pyramid (Loveless, 2025)<sup>1</sup> may assist to clarify the arguments in favour of the mentioned theoretical basis.

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<sup>1</sup> The graphic of the Learning Pyramid has been obtained from the same source.



Adapted from the NTL Institute of Applied Behavioral Science Learning Pyramid

The Learning Pyramid is a model that suggests that some modes of teaching and study are more effective than others (Loveless, 2025). To be more specific, some study methods may lead to deeper learning, as well as to a more long-term retention of knowledge (Loveless, 2025). According to Welgemoed, the Learning Pyramid may help to bring value to procedural law modules (Welgemoed, 2021, p. 285). Legal procedure is, for obvious reasons, important to the practice of law and mention has



already been made elsewhere as to what impact a legal secretary can have in this regard in relation to the training of CLPs and law students (see 3.3 in this regard). It is argued that , for purposes of this article, it can also bring value to various other practical aspects that CLPs and law students need to be skilled in. If the top of the pyramid is studied, it appears that people only retain 5% of knowledge by listening to lectures (Loveless, 2025; McQuoid-Mason, 2016, p. 2; Welgemoed, 2021, p. 284). The lecture method, or the Socratic teaching method, is the methodology conventionally used by law schools to impart theoretical knowledge onto students (Barnhizer, 1979, 67.96; Wizner, 2002, 70(5); Welgemoed, 2021, p. 22). The Socratic teaching method refers to a dialogue between a teacher and students. Involving the asking of questions by the teacher in order to discover the basis for students' opinions and beliefs (Conor, 2025). Despite this dialogue, very little to no practical experience is gained by the students (Regassa, 2009, pp. 53-56; Wizner, 2002, 1931; Welgemoed, 2021, p. 180). The reason for this is that the all the activities in the top part of the Learning Pyramid are mainly passive, not enabling people to put their theoretical knowledge into motion by actually practising what they know (Welgemoed, 2021, p. 285). Towards the bottom of the pyramid, activities get more active and can help to instil better knowledge in people, due to the kinesthetic (Smith, 2025) nature of the activities. A kinesthetic learning style prefers physical activities and tactile experiences as part of the learning process (Smith, 2025). For example, should CLPs or law students have discussions with legal secretaries about certain practical aspects, as already mentioned, the CLPs or students may retain up to 50% of what had been discussed. Should CLPs or students practise what they have discussed, they may retain up to 75% of what had been discussed. The conclusion is therefore that, due to the manner in which law is generally taught at university level, CLPs and law students require every opportunity possible to gain more skills and practical experience. This observation is especially relevant if it is kept in mind that it had been anonymously stated that, in South Africa, the 4 year LLB programme is producing "legal barbarians" who might have received training in law,

but who are not equipped to have an appreciation for the true functioning of a legal practitioner as far as the general public and existing power dynamics are concerned (Du Plessis, 2016, 1 2; Welgemoed, 2021, p. 187). This is, reputationally speaking, not good for the legal profession.

It is therefore suggested that legal education should be sufficiently practical to ensure that CLPs and law graduates gain the necessary skills, as well as a continuous experience (Welgemoed, 2021, p. 188). Legal education commences even before entry into law school (Welgemoed, 2021, p. 188-192), has its most critical and formative stages during the law school years and, thereafter, continues throughout the career of every legal practitioner (Stuckey, Barry, Dinerstein, Dubin, Engler, Elson, Hammer, Hertz, Joy, Kaas, Merton, Munro, Ogilvy, Scarnecchia & Schwartz, 2007). The notion is therefore that university training should be of such a nature that law graduates are moulded into skilled, competent and professionally thinking individuals who can render legal services of good quality to members of the public (Lamparello, 2015, 1 4). In this way, law graduates can continue to learn during their PVT, eventually being admitted as legal practitioners and, thereafter, continuing to become more experienced as their careers progress. However, it appears that university training is not currently assisting to lay a satisfactory foundation as far as practical training is concerned (Welgemoed, 2021, p. 189). There could be various reasons in support of this statement. One of the reasons might be that law school staff do not have staff members who have the necessary practical experience to train law students (Welgemoed, 2021, p. 189-201). A further reason could be that law schools do not have the necessary practice-orientated programmes in their curricula, including skills training, ethics and professionalism (Kruse, 2013, p. 45). It might be remarked that, if law schools do present any practice-orientated programmes in their curricula, such programmes are presented either too late in the students' academic careers at university, as well as that such programmes are only presented for a short duration of time (Welgemoed, 2021, p. 189). To conclude: if this is indeed the case, it can be said that law schools break the chain of continuous learning, leaving it to legal practice to proverbially "pick up the pieces" when law graduates

commence with PVT as CLPs. CLPs can then do with every bit of assistance that they get, including enriching professional training that can be offered by legal secretaries.

It is suggested that the doctrine of constructivism also plays a significant role with regard to the practical and continuous training of CLPs and law students. In essence the doctrine entails that students learn by way of new experiences, which experiences add to the existing knowledge framework of such students (Quinot & Greenbaum, 2015, pp. 29-35). Another trait of constructivism is that knowledge cannot be taught in an a-contextual manner (Quinot & Greenbaum, 2015, p. 36) – theoretical and practical components should therefore be taught collectively in context of the situation to which they apply (Welgemoed, 2021, p.64). Constructivism can be said to imply that students cannot simply and only learn by listening to and receiving information from teachers (Quinot & Greenbaum, 2015, p. 35). Students should thus personally experience practical situations to personally learn from it (Welgemoed, 2021, p.85). This can be connected to continuous learning, in that constructivists view this form of active learning to be an inescapable part of life (Alexander, 1985, pp. 249-254). Thus, students gain additional knowledge by connecting new experiences with knowledge derived from earlier stages of their lives, for example, knowledge gained during their years at university (Quinot & Greenbaum, 2015, p. 35). A legal secretary can therefore enhance a CLP's ability to draft legal documents more properly. The quest is however for the CLP to attempt the document him or herself and to ask the legal secretary for guidance. A legal secretary can also provide more clarity on certain practices followed by the relevant law firm with regard to clients, case management, file management and general office rules. The CLP will have to experience all these aspects for him or herself to fully appreciate the practical implications thereof; however, the mentioned concepts should not be totally new to the CLP, as he or she has already, as a law student, studied the theoretical aspects thereof at law school to only now, in practice, put such knowledge into motion by engaging in such practices. As a result of constructivism, the CLP engages in continuous

learning by constantly seeking for information, actively enriches his or her knowledge-base by finding such information and practising it, as well as by receiving guidance with regard to where to find such information and how to properly use it, from the legal secretary. Such learning takes place in a contextual manner, as the CLP learns to acquire information for a specific purpose, as well as how to practically employ such information for a specific task at hand.

It has been mentioned before that legal secretaries are usually skilled in word processing and that they can assist CLPs, law students and even experienced attorneys to overcome the occasional complexities that word processing software can present (see 4.3). Such assistance gain new force, importance and urgency in light of the demands that the Fourth Industrial Revolution (hereafter referred to as the “4IR”) holds for legal practice. The 4IR has been defined as the advent of cyber-physical systems, with new capabilities for both machines and people in store (Ptolemy Project, 2016).<sup>1</sup> This includes the way in which computers, software systems and even artificial intelligence may influence everyday life, including that in legal practice (Welgemoed, 2021, p. 389). In more technical terms, this means that sophisticated algorithms can, to a significant extent, perform tasks that are conventionally performed by legal practitioners and paralegals (Hutchinson, 2017, pp. 567-569; Frey & Osborne, 2013, 1 2-3). Tasks, usually performed by legal secretaries, should not be left out of sight in this regard. The legal profession is however generally slow to adapt to technological progression, especially as far as the courts are concerned (Welgemoed, 2021, p. 393; Katz, 2014, 1-3). It seems that law firms have fairly rapidly adapted to the demands of the 4IR with regard to using general operations in a law office, case management and communication systems (Katz, 2014, 3). Legal secretaries are generally the incumbents processing legal and other documents and using computers the most for administering the firm’s

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<sup>1</sup> Cyber-Physical system. [Cyber-Physical Systems - a Concept Map](#) (accessed 2025-09-11).

everyday business. They may therefore teach CLPs and law students more about document-generating software that they may be using, as well as present them with templates of legal documents (Welgemoed, 2021, p. 411). Nowadays, cloud-based databases are commonly used in all law firms and, in this context, legal secretaries can empower CLPs and law students about how to safely store confidential information and legal documents in such databases (Welgemoed, 2021, p. 411). This type of training will contribute to the already existing knowledge that students may have regarding the storage and safeguarding of confidential information and important documents. In this context, continuous and lifelong learning once again takes place, ensuring CLPs and law students keep on being educated and acquiring new skills that will enrich their professional careers as future legal practitioners (Welgemoed, 2021, p. 411). Especially, as far as law students are concerned, such training will assist them to more familiar with what awaits them in legal practice after graduation (Welgemoed, 2021, p. 411). The significance of this aspect particularly is in the fact that law schools conventionally do not teach these types of skills, as was already mentioned elsewhere (see 4.3).

It can thus be stated with confidence that legal practitioners and legal secretaries work together as a team, with the secretaries sometimes being delegated the repetitive section of the practitioners' work (Dean, 1983, p. 390). In many cases however, this working relationship goes much further and entails that legal practitioners only retain the part of the work that involves a high degree of complexity and responsibility (Dean, 1983, p. 390). What this in effect means, is that legal secretaries – as “para-lawyers” – can assist legal practitioners with some of their duties to allow them (legal practitioners) with more time for other important duties, as already stated. According to Dean, courses have been introduced to meet the needs of such “para-lawyers” and to train them accordingly for the work that they must do. It is submitted that this refers to none other than paralegals. However, it is not suggested, in this article, that legal secretaries should be paralegals. Being a paralegal would require them to also do legal research, consult with clients of the law firm and run more errands as far as the courts are concerned (Dean,

1983, p. 390). Dean states that “[t]he work of para-lawyers falls between that of the competent secretary and that of the qualified attorney.” (Dean, 1983, p. 390) This statement is supported in context of this article. It is submitted that legal secretaries do not even have to undergo specific courses to be recognised as “para-lawyers” – they earn that “title” by virtue of the work that they are doing, as they have experience in drafting documents, writing basic letters, communicating with clients and other stakeholders of law firms, as well as liaise with various staff members of law firms, including CLPs and, sometimes, law students. Legal secretaries can therefore provide assistance with regard to the professional and practical training of CLPs and law students without them getting involved in consulting and research. CLPs and students need to discover the complexities thereof for themselves by either shadowing principals or by doing it themselves, which would form part of continuous education, fully underscored by the doctrine of constructivism. The legal profession should realise the inherent value that legal secretaries can bring to the table with regard to the professional and practical upbringing of CLPs and law students so that such a practice can gain more momentum and acceptance. If it is accepted that legal secretaries can add value to the said training of CLPs and law students, as explained in this article, they are indeed performing duties that fall between that of a secretary and that of a legal practitioner. It is submitted that, in this regard, they are indeed “para-lawyers”, as they work with legal practitioners as far as the training of CLPs and law students are concerned and not usurping the duties of legal practitioners in any way. There is thus a clear division between what a legal practitioner must do with regard to training registered CLPs, statutorily speaking, and what a secretary can do on a daily basis to assist with such training. As far as the professional and practical training of especially CLPs for purposes of entry into the legal profession is concerned, this does not mean that legal practitioners delegate their training responsibility to legal secretaries. The responsibility will always remain with the principal (Dean, 1983, p. 392). The continuous and lifelong learning aspect should be the focus point and legal secretaries form part of this learning experience.

The LPA has been enacted with the purpose of providing a

legislative framework for the transformation and restructuring of the legal profession (Marumoagae, 2023). Marumoagae states that progressive legal education is at the heart of this transformation and restructuring, as it should equip CLPs with the necessary skills to enter legal practice and to have successful careers as legal practitioners (Marumoagae, 2023). The learned author further states that this will not be achieved by way of students merely attending classes at university (Marumoagae, 2023). In this regard, he convincingly states that all legal practitioners should, in their spaces, offer progressive legal education to enable CLPs to prepare adequately for entering modern legal practice (Marumoagae, 2023). For reasons already advanced in this article, it is submitted that legal secretaries play important roles in providing such progressive legal education in the sense that they contribute to the professional and practical upbringing of CLPs and law students.

## **Conclusions**

It is submitted that, when the value of a legal secretary in the life of especially a CLP is considered, one cannot do anything else but to have the utmost respect for the impact that such a secretary can have on the practical training and knowledge of such a CLP. It has been illustrated in this article that legal secretaries fulfil an integral role in the successful running of law firms (Womack, 2025). Inasmuch as the relationship between legal practitioners and legal secretaries are important for the successful management of a law firm (Womack, 2025), it is submitted that the relationship between legal secretaries and especially CLPs can also contribute immensely to the successful running and management of a law firm. The reason for this submission is simple: the more a CLP learns from a legal secretary, especially an experienced one, the more efficient and professional the CLP will become in executing daily legal tasks, ranging from consulting to successfully assisting clients in a court room. In this regard, it is not by any means suggested that a legal secretary is the only source of information in a law firm as far as CLPs are concerned. It has been pointed out that CLPs

primarily receive professional training from the principals under whom they have been enrolled to undergo PVT (see 3). However, in the author's experience, in certain instances, some CLPs just feel more comfortable to liaise with legal secretaries, instead of with their principals, regarding some routine matters as far as the operations inside the law firm are concerned, as well as with regard to some legal matters, for example, how to obtain examples of certain legal documents like contracts, pleadings or templates of letters. The reasons for such liaison can vary from case to case. It might be that the CLP is feeling intimidated by the principal and is therefore somewhat scared to approach the principal. Another reason might be that the principal is too busy to assist at a specific point in time and that the CLP cannot wait, as the work, that requires to be completed, is of an urgent nature. A further reason might be that a CLP wants to impress a principal and therefore approached a legal secretary for assistance with certain tasks. Whatever the case may be, if the CLP received assistance from the legal secretary, it is submitted that such a legal secretary has fulfilled the task of being a trainer, thus actively contributing to WIL. The principal will be satisfied due to tasks being professionally executed, thus noting positive progress on the side of the CLP. The CLP will be satisfied, as he/she has completed required tasks with a sense of independence from the principal, which, it is submitted, may contribute to the morale of a CLP and may instil a sense of vigour in him/her to continue to learn more. The same may apply to law students performing paralegal services at ULCs.

It is unfortunate that literature on the important value of legal secretaries, as trainers to CLPs and law students, are so scarce to the level that it is almost non-existent. It is submitted that the legal profession must pay more attention to the significance that legal secretaries can have on promoting WIL. As the LPA entrusts CLPs to legal practitioners for purposes of PVT – a logical provision, as such training must be provided by qualified professionals - it does not seem likely that legal secretaries or even other administrative officials will ever be statutorily recognised as PVT trainers. This does however not mean that they cannot be recognised as training assistants by legal practitioners. Legal secretaries



can present workshops to students on several practice related matters, like effective communication, file management, note-taking and office management, to name but a few, while principals oversee such training to ensure that it remains consistent and covers all relevant bases. This may save some principals time that can rather be dedicated to consultations, case preparation and litigation in court. It is submitted that such recognition may also improve the morale among legal secretaries, which may boost motivation and productivity – by no means suggesting that the productivity of legal secretaries require attention in any way. In the words of Tom Peters: “The art of paying positive attention to people has a great deal to do with productivity.”<sup>1</sup> Legal secretaries are no exceptions to this rule.

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