

Learning in Law Annual Conference 2008
(Dis)integration – designs on the law curriculum.
4 January 2008, University of Warwick, Coventry

Curriculum Design Challenges for 21st Century Legal Education

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Overview

- Why are we talking about this?
- Brief environmental scan
 - From the legal ed perspective
- Key issues for 21st Century curriculum design in legal education
 - Integration, creativity, community, evolution, engagement, experience, critique, values.
- Leadership challenge for us all

“Law schools rarely teach students how to be lawyers”

The Wall Street Journal

Meet the Clients

Law schools rarely teach students how to be lawyers.

BY CAMERON STRACHER

Friday, January 26, 2007 12:01 a.m.

The recent arrest of Anderson Kill & Olick paralegal Brian Valery for practicing law without a license raises a number of questions about how the ersatz Fordham graduate could have gotten away with representing corporate clients in complex litigation--without ever having gone to law school. The more salient question, however, is: Would it have mattered if he had?

<http://www.opinionjournal.com/forms/printThis.html?id=110009581>



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Sally Kift, QUT

CRICOS No. 00213J

Why ??

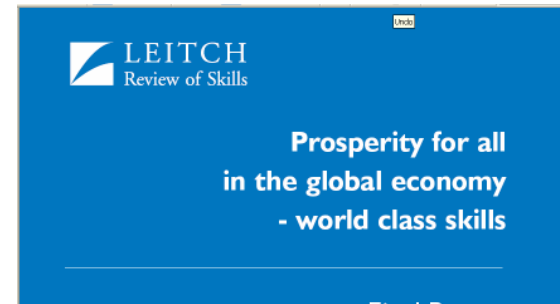
[are we talking about this]...

- Because of fraught reality for (*all of us*) –
 - Academics (& part time teachers)
 - Professional staff **and**
 - Students
- Imperative for all to teach, learn, assess and support more effectively and efficiently
- The “once upon a time” patterns of engagement no longer exist and are dynamic...
 - Best to assume nothing now [eg about students naturally forming social & peer [study] groups; or involvement in broader student experience; or being prepared; etc ...]

**Actual (eg workload)
AND
Strategic (eg rankings)**

Our students – a reality check

- Widening participation and (dis)engagement
 - Reality of what they need preparation for:
 - Several career changes
 - Employability skills –
 - Leitch *Review of Skills*
 - US Partnership for 21st Century Skills *Learning for the 21st Century (2002)*
http://www.21stcenturyskills.org/index.php?option=com_content&task=view&id=29&Itemid=42
 - [Aust] *Graduate Employability Skills (2007)*
<http://www.dest.gov.au/NR/rdonlyres/E58EFDBE-BA83-430E-A541-2E91BCB59DF1/18858/GraduateEmployabilitySkillsFINALREPORT.pdf>
- 8 employability skills: communication, teamwork, problem solving, self-management, planning & organisation, technology, lifelong learning, initiative and enterprise



Sound familiar?



Subject benchmark statements – Law Draft for consultation August 2006

<http://www.qaa.ac.uk/academicinfrastructure/benchmark/statements/drafts/lawdraft06.asp#p1>

Subject-specific abilities

- Knowledge
- Application & problem solving
- Sources and research

General transferable intellectual skills

- Analysis, synthesis, critical judgement & evaluation
- Autonomy & ability to learn

Key skills

Communication and literacy
Numeracy, information technology and teamwork

STUDENT EMPLOYABILITY PROFILE TEMPLATE – LAW
GENERIC EMPLOYABILITY COMPETENCIES

Subject Benchmark Indicators © The Quality Assurance Agency for Higher Education	Cognitive Skills The ability to identify, and solve problems, work with information and handle a mass of diverse data, assess risk and draw conclusions.	Generic Competencies High level and transferable key skills such as the ability to work with others in a team, communicate, persuade and have interpersonal sensitivity.	Personal Capabilities The ability and desire to learn for oneself and improve one's self-awareness, emotional intelligence and performance. To be a self-starter (creativity, decisiveness, initiative) and to finish the job (flexibility, adaptability, tolerance to stress).	Technical Ability For example, having the knowledge and experience of working with relevant modern technology.	Business and / or Organisation Awareness An appreciation of how businesses operate through having had (preferably relevant) work experience. Appreciation of organisational culture, policies and processes	Practical and Professional Elements Critical evaluation of the outcomes of professional practice, reflect and review own practice participate in and review quality control processes and risk management
Demonstrate a basic knowledge and understanding of the principal features of the legal system(s) studied	Analysis Attention to Detail				Organisation Understanding	
Demonstrate knowledge of a substantial range of major concepts, values, principles and rules of the legal system (s)	Analysis Attention to Detail					
Explain the main legal institutions and procedures of that system	Analysis Attention to Detail	Communication			Organisation Understanding	
Demonstrate the study in depth and in context of some substantive areas of the legal system	Analysis Judgement Attention to Detail					
Demonstrate a basic ability to identify accurately the issue(s)	Analysis Judgement Attention to Detail	Planning				Professional Expertise

Student Employability Profiles: Law

http://www.heacademy.ac.uk/assets/York/documents/ourwork/tla/employability_enterprise/web0356_employability_profile_template_law.doc



The Changing Agenda – Legal Services

- Dynamic change in legal service practice and delivery
 - Structure and educational training different
 - Content, methods and foci changing rapidly
 - External drivers

The Changing Agenda – Tertiary Sector

- Similar external drivers
- Also
 - Competitive: drive for innovation and differentiation
 - Aust Law Schools from 12 (1987) to ~32 (2007)
 - Government expectations: Leitch, Benchmarks, accountabilities
 - Professionalism of HE learning and teaching

The BIG Question...

- Has legal education kept pace with these dynamic changes in student cohorts, legal services industry and higher education thinking?

- Plethora of reports... suggest possibly not

- Eg – Law Society of Scotland (2006-7)

The structure of education for professional legal practice has changed and developed markedly over the past 30 years (including the introduction of the Diploma and of mandatory CPD). However the Society has been conscious for some time that **a radical consideration** of the principles which underlie that area has **not recently been undertaken**.

<http://www.lawscot.org.uk/training/consult>

Similarly ...

(Aust) ALRC No 89 2000 – *Managing Justice*

- *“relative stasis in legal ed, which appears frozen in time”*
- *Doctrinal law still dominates – “solitary preoccupation with the detailed content of numerous bodies of substantive law”.*
- *Little reaction or reflection on changing environment*

Hong Kong Report 2001

http://www.hklawsoc.org.hk/pub_e/news/societyupdates/20010813a.asp

- *Pace of change in legal practice dramatic – less clear that necessary adjustment to thinking about legal education*

(US) Carnegie (2007) at 145

- *“...today’s law school experience is severely unbalanced. The difficulty...lies in the relentless focus...on the procedural and formal qualities of legal thinking, This focus is sometimes to the deliberate exclusion of the moral and social dimensions and often abstracted from the fuller contexts of actual legal practice.”*

Look at all those reports: eg ...

UK

- Ormrod (1971)
- Benson (1979)
- Marre (1988)
- ACLEC (1996)
- *Scottish Legal Education in the Twenty-first Century* (2000)
- Current Law Society of Scotland consultation <http://www.lawscot.org.uk/training/consult>

Australia

- Pearce (1987)
 - McInnes & Marginson (1994)
 - ALRC Report 89 (2000)
 - Johnstone & Vignaendra (2003)
 - Carrick Institute initiative (current)
-

Look at all those reports: eg ...

US

- Carrington (1971)
- Cramton (1979)
- Foulis (1980)
- MacCrate (1992)
- American Bar Association (1996)

Most recently US

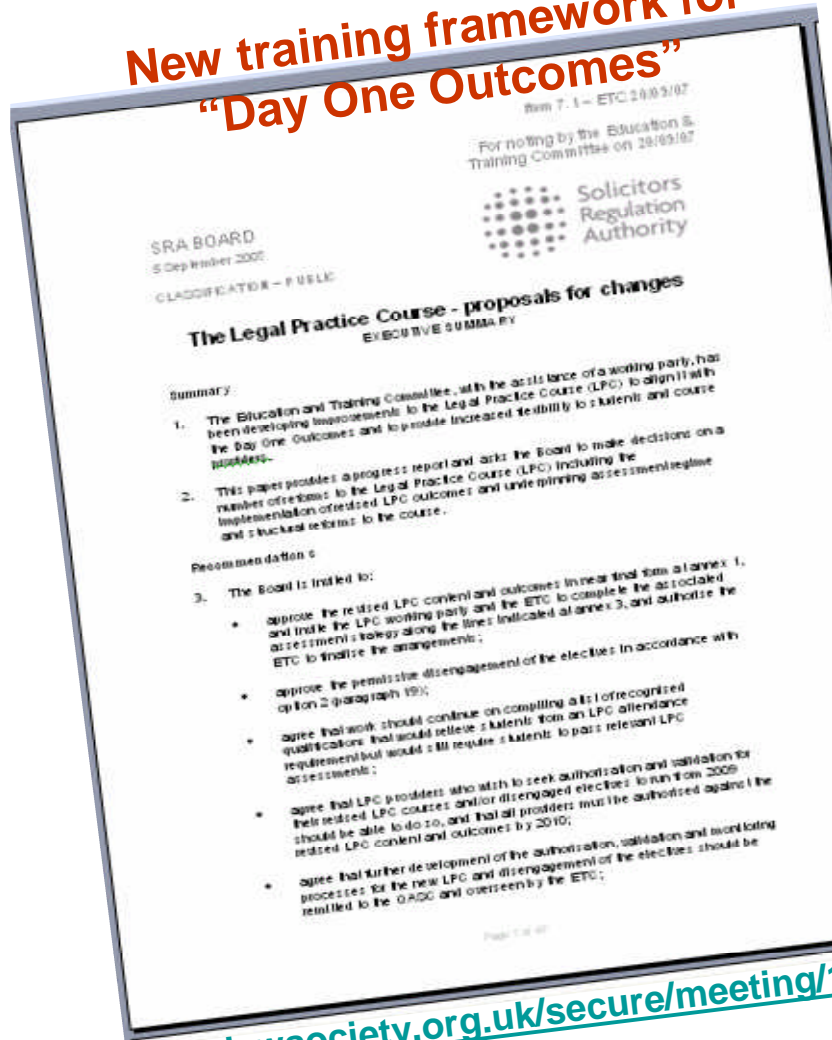
- Carnegie Foundation, (2007). *Educating Lawyers: Preparation of the Profession of Law*
 - <http://www.carnegiefoundation.org/publications/pub.asp?key=43&subkey=618>
- Stuckey et al, (2007) *Best Practices for Legal Education*
Clinical Legal Education Association (CLEA)
 - http://law.sc.edu/faculty/stuckey/best_practices/best_practices.pdf

Canada

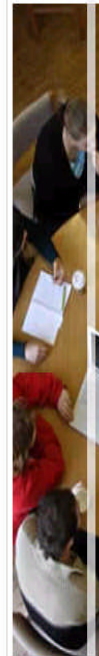
- Systems of Civil Justice Task Force Report (1996)
 - Recommendation 49 Committee (1999)
-

And if it's not reports...

New training framework for
"Day One Outcomes"



<http://www.qaa.ac.uk/academicinfrastructure/benchmark/statements/drafts/lawdraft06.asp#p1>



Subject benchmark statements Law Draft for consultation August 2006

[Review of subject benchmark statements index](#)

[Law benchmark statement 2000](#)

[PDF version](#)

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<http://www.lawsociety.org.uk/secure/meeting/168790/168790.doc>



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+ Transnational legal curricula

- Association of American Law Schools (AALS) Conference *Educating Lawyers for Translational Challenges* Oahu, Hawaii, USA, 2004.
<http://www.aals.org/international2004/>
- Commonwealth Legal Education Association
 - Curriculum and model course of transnational crime
 - Model curriculum and course on Islamic Law
 - Tackling Corruption and the Misuse of Public Office: Implications for Law Teachers<https://olt.qut.edu.au/law/clea/>
- Existing individual courses

What do the reports say ... Themes?



- Urge re-orientation **from** traditional content focus **to** skills & values acquisition (w pervasive professionalism)
- Should there be a more focussed core to the LLB?
- Changing patterns of student engagement & diversity
- Increasing awareness of “facilitation of active learning”
- Greater emphasis on assessment for learning
- Recognise impact of internationalisation & globalisation
- Drive to harness technology – eg (UK) SIMPLE project
- How to inculcate professionalism and an ethical stance
- Disjunct between academy *and* practice – integration
- Divide between LLB *and* LPCs – and articulation

Particularly knowing, doing *and* practise

- Ormrod Committee (1971): desirable mix of university & apprenticeship elements in legal education (para 100).
- In 2008, still debating the tension (disjunct??) between –
 - Professional elements of legal education
 - and*
 - Law as an intellectual field of academic inquiry in HE
- What do we say about this uneasy relationship between the study of and the practice of law?
 - What is our role in forming professional identity?
 - What are our individual program objectives?
 - Embrace an “**integrative** strategy for legal ed”? (Carnegie at 191)

Crunch time on this!

Law Society of Scotland

Education & Training Committee

The **debate** on the purpose of the law degree – general “liberal arts” degree preparing for a variety of careers, or vocational course as part of a lawyer’s training – is likely to continue to run. We believe that it is **possible to combine academic excellence with an outstanding preparation for practice**. The Education and Training Committee favour more emphasis on a **comparative dimension** in the teaching and assessment of law, firmly rooting the Scottish position within the UK/EU/international law setting. We also believe that **greater integration** of the strands of law is desirable, relating the teaching more closely to how a client problem may present in a real life situation. The committee supports a **more focused core** to legal education, a core that will act as building blocks, with less focus on individual subjects and more emphasis on, for example, areas of law which pervade a range of practice.

Campbell, Stevenson, McLintock, “Vision 20:20” *The Journal*, June 2007, page 26

<http://www.journalonline.co.uk/article/1004243.aspx>



Father Guido Sarducci's Five Minute University

Father Guido Sarducci teaches what an average university graduate knows after five years from graduation in five minutes



<http://www.youtube.com/watch?v=kO8x8eoU3L4>



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So....

**What does it all mean for 21st century law
curriculum design?**

**Integration
or
Dis(integration)?**



Key issues for 21st Century Curriculum Design in Legal Ed

1. Our purpose – Study of law vs practice of law
 - Is it either/or – can it be **integrative**?
 - Educating for the 21st Century workforce
 - Creativity??
2. Whole of program curriculum mapping
 - **Integrative** curriculum approaches
3. Learning, teaching and assessment approaches
 - **Integrative** pedagogy
 - Includes blended learning
4. Enhancing the student experience to facilitate student engagement
5. Professionalism and ethics

“Most law schools give only casual attention to teaching students how to use legal thinking in the complexity of actual law practice”

- “Unlike other professional education, most notably medical school, legal education typically pays relatively little attention to direct training in professional practice. The result is to prolong and reinforce the habits of thinking like a student rather than an apprentice practitioner...”.

Carnegie at 188



What is the purpose of professional education?

Across the otherwise disparate-seeming educational experiences of seminary, medical school, nursing school, engineering school and law school, we identified a common goal: professional education aims to initiate novice practitioners **to think, to perform, and to conduct** themselves (that is, to act morally and ethically) like professionals.

Carnegie at 22

Integrating the study and practice of law (1)

Integrate progressive development of knowledge, skills and values (include professionalism) to entry-level competency for all students

- By holistic curriculum design **and** by letting go of content
- Perhaps concentrate on “threshold concepts” that often prove to be “troublesome knowledge” (UK ETL Project <http://www.tla.ed.ac.uk/etl/project.html>)
 - Helps conceptualise (and integrate) curriculum in discipline terms
- Integrate also by appropriate teaching learning & assessment strategies adopted
 - PBL or Enquiry Based Learning
 - Blended learning
 - Simulations and clinical training – latter “the underdeveloped area of legal pedagogy” (Carnegie at 24)
 - Standardised clients to evaluate lawyer performance (Scotland)

Integrating the study and practice of law (2)

- Help our students, not just to “think like a lawyer”, but to “think like a lawyer *in practice settings*”? (Carnegie)
 - Again need different pedagogies than for theoretical learning
- What it is to assume the lawyering role?
 - Professional responsibilities; integration across subject areas; broad social and political consequences of lawyering; *etc*
- Reject false dichotomies – no longer solely about content
 - Theory (knowing) vs practice (doing)
 - Abstract doctrine vs practical skills
 - Understanding professional responsibility vs professional experience
- Prepare students for practice (and 21st century workplace) by providing a broad based (legal) education

Three part model for law school curriculum

(Carnegie at 194)

3 part model whose parts interact with & influence others

1. The teaching of legal doctrine and analysis, which provides the basis for professional growth (*cognitive apprenticeship*)
2. Introduction to the several facets of practice included under the rubric of lawyering, leading [optimally] to acting with responsibility for clients (*practical apprenticeship*)
3. Theoretical & practical emphasis on inculcation of identity, values, and dispositions consonant with the fundamental purposes of the legal profession (*ethical-social/formative*)

**Implications for curriculum design –
Intentional and developmental = mapped**

Aust: Models for skills integration.

- AUTC 2003, Johnstone & Vignaendra (134-161)
 - ① **Minimalist** (largely ad hoc, general, implicit);
 - ② **More explicit** (more systematic and structured – some stand alone units, some clinical, some electives);
 - ★ QUT ③ **Integrated** (where skills are built up incrementally and in a co-ordinated manner)
 - ④ **Integrated LPC into the LLB**
- Most Aust Law Schools w/i first two models

QUT model 3 of skills integration

- Major curriculum renewal (1999-2000) to explicitly (cf by osmosis) embed the knowing *with* the doing
 - **Integrated** [skills] in an **incremental** way across entirety of degree
 - Better alignment between **what** is taught, **how** it is taught and **how** that learning is **assessed** (James, 2002)
 - Required reconceptualisation of the first year curriculum
 - Went back in 2003 to revisit assessment – ongoing
- Concern over student experience
- Diversity of 1st year cohort big issue esp re tertiary skills
 - Facilitate all students *from* multiple starting points *to* end of 1st year proficiency
- Need to provide staff development for part time teachers



How to – Mapping

..Faculty attention to the overall purposes and effects of a school's educational efforts is surprisingly rare” (Carnegie at 89)

- **If** objective is to embed knowledge, skills and values (with professionalism) for whole-of-program acquisition

THEN

- Need a systematic, coherent, comprehensive response
 - cf piecemeal, ad-hoc, additive or reactive
- In the developmental sense, need to attend to the criticality of first year curriculum design to provide the indispensable curriculum foundation on which to build the whole-of-program profile for greater complexity and specialisation.

How to – Mapping

Broadly –

- Starts with **whole program** mapping – matrix
- Then **each subject w/i program**: how does each subject contribute to overall program development of knowledge, skills and values – having regard to
 - Whether taught, practised and/or assessed;
 - To what level – (eg novice, intermediate, advanced?);
 - Building on existing expertise & prior learning;
 - Complementing concurrent subjects;
 - Preparing students for higher order outcomes as they progress;
 - Making career relevance explicit;
 - Forming professional identity.
- **Review whole program** looking for gaps & over-emphasis
- **Ongoing monitoring, evaluating & renewal** over time

What we learnt from that process.

- Not easy – big culture shift for students and staff!
 - Esp re students – make explicit; hard for staff to let go of content
- Takes time, dedicated resourcing; transformative practice
- Embed in course documentation
- Use integrating devices across whole of LLB
 - Incremental (across yrs) teaching teams working together
 - Across program: multiple opportunities & contexts, increasing in complexity
 - Teaching, learning and **ASSESSMENT** as integrative
 - First year curriculum renewal essential – harness curriculum for integration
- Part time teachers need to be engaged also

What we [I] would do differently (1)

- Be even more explicit in communication with students
 - Esp explicit (and constantly iterated) LLB roadmap for them
- Try for more “cross-integration” at higher levels
- Be careful about over assessing
- “Refresh” teaching delivery
 - Esp as an opportunity to deliver **blended learning environments**
 - Scaffold student experience of LLB – first year to capstone and out
- Make (better) informed decisions about what to leave out
- Articulate and enact the teaching/research nexus
- Build in more peer-to-peer interaction (PASS / SI schemes)
- Embrace the ePortfolio (your PDP)

What we [I] would do differently (2)

- **Student ePortfolio** www.studentportfolio.qut.edu.au
 - Electronic tool for students to record, catalogue, reflect on, retrieve & present activities and experiences re skills acquisition for ultimate release to employers
- 10 skills areas that employers value highly.
- **Based on** 2002 *Employability Skills Framework* (Aus) **AND** on skills valued by employers in Canada, USA & UK.
- **Explicitly linked** to skills embedded in programs such as Law, Creative Industries, Engineering & Nursing
- Obvious, authentic & *motivating* w'place relationship w curriculum from 1st day of 1st year.

What we [I] would do differently (3)

- Pay greater attention to **tertiary literacies** in FY: esp
 - **academic literacy** (skills in reading, critical analysis, listening, writing and presenting orally);
 - **information literacy** (the capacity to recognise when information is needed and the capacity to locate, evaluate, and effectively use required information);
 - **computer literacy** (the ability to effectively use computer devices and associated peripherals and generic software to find, store, retrieve and manipulate data)
 - **Also** numeracy; visual literacy; statistical literacy; professional practices; cultural literacy; + + + ???
 - See (eg) Uni of Wollongong at http://www.uow.edu.au/about/policy/tertiary_literacy_policy.pdf

Creativity in law

- Business literature & economic policy calling now for enhanced “creativity” in the workplace
 - No definitive definition but embodies generic attributes including communication, teamwork, problem solving, cultural understanding, and decision making skills
- Critical thinking *cf* creative thinking
 - Creative thinking: process to develop/generate/search for/connect ideas for new solutions that are unique, useful, worthy of further elaboration
- Being creative in law – to use tried and true methods when they are appropriate, but not to fear new and category-smashing ideas or solutions: Carrie Menkel-Meadow(1999)

“We’ll all be rooned, but not just yet.”

The Australian, Legal Affairs 14/12/07 p33

...the business of law in Australia is heading towards a crisis. ...The reason? A lack of genuine innovation and entrepreneurship will make aspects of their services uncompetitive and increasingly redundant. ...in recent decades less than a handful of Australian law firms have made serious inroads offshore or introduced major innovations in their product, service delivery or price.





L,T and Assessment for transformation and integration

Traditional teaching (as transmission) not effective for these new program objectives.

- Preparing grads for challenges of 21st century workforce requires more than tinkering with current practice (Mullin, 2001)
- Requires “transformation” – significant qualitative change
 - Teacher-centred model just will not produce complex learning outcomes – lecturing our signature pedagogy
 - Teachers need to be skilful
 - Conceptualise “theorising from practice”
 - Working with colleagues & learning from other disciplines

And relax –

Learning takes place through the active behaviour of the student; it is what *[they]* do that *[they]* learn, not what the teacher does.

J Biggs, *Teaching for Quality Learning at University*, 2nd ed, Open University Press, 2003 , at 25, citing R W Tyler, *Basic Principles of Curriculum and Instruction*, University of Chicago Press, Chicago, 1949 at 63.



Two particular assessment issues –

Assessment defines real (cf espoused) curriculum

1. Transformation nec in assessment practices for academic staff (to bring about nec transformation in student learning)
 - Need help to move beyond signature assessment practices
2. Do we recognise students' intellectual development?

...the traditional legal education model has been preoccupied with the study of narrow legal rules...[and] taught the same thing – analysis of legal rules – repeatedly, with little evident recognition of students' intellectual development.

Keys & Johnstone (2004) *Syd LR* at 541



Re assessment transformation

Stuckey *et al*, (2007) *Best Practices for Legal Education*
http://law.sc.edu/faculty/stuckey/best_practices/best_practices.pdf

On its face, the [law] exam appears to be a valid test of skill. If however, students must take the test in a closed book setting or without sufficient time to review the relevant authorities while taking the exam, students who have developed the ability to apply and distinguish cases, but possess poor memorization skills, would likely perform poorly. Thus the exam would not be valid. (179-180)

The question is

What do we expect them to learn, to do and to value and then how best to assess that?



Some interesting ideas...

Stuckey et al (2007) *Best Practices* p 178

- A student's understanding of many aspects of law practice as well as his or her lifelong learning skills could...be assessed, for example, by asking students to **analyse recording or transcripts of lawyers' performances**

Carnegie (2007) *Educating Lawyers* p 99

- Harness the iterative process
- Task to synthesise a “**brief, punchy letter** (intended for non-lawyers)” of a complex, 150 page recent judicial decision – a “process of organizing and re-organizing facts and ideas in a conceptual framework and with a concrete purpose”.

Carnegie (2007) *Educating Lawyers* p 37-38

- CUNY during orientation – students visit courts and describe to staff and students what they saw – specifically if they could discern “**justice being done**”

Assessment “hotspots”

- Does FY support **transition to assessment** in HE & law?
- Early **formative assessment** to
 - relieve anxiety; aid learning; provide feedback to both students & staff on student progress and achievement?
 - Carnegie would say throughout degree program
- Is it **aligned** (Biggs)?
- Increasing in **complexity** from first year on?
- **Authentic** assessment experiences
- Assessment hotspots per *CSHE* (2002):
 - Online assessment; assessing large classes; designing out plagiarism; assessing group work; assessing students unfamiliar w Aust HE assess practices.
 - <http://www.cshe.unimelb.edu.au/assessinglearning/docs/AssessingLearning.pdf>



Managing the student experience

- FYE and beyond – curriculum as organising device
 - FY as foundation year – Orientation as process over time
 - Manage diversity, expectations & preparedness
 - Manage other transitions (eg FY to 2ndY) and *esp* capstone and transition out
- Curricula and co curricula – to inspire and motivate
- Learning as a social experience also
 - Part of a community of student peers and teachers committed to learning
 - Both student peer and academic/research mentors
- Integrative learning and assessment
 - Of and for learning across subject areas, over time, b/w campus and community engagement – conceptualise curr in discipline terms



Ethics and professionalism

- Broader than professional responsibility and all reviews mention it – Carnegie (2007): case studies
- US MacCrate (1992) and now Carnegie (2007) this is as important as the acquisition of substantive knowledge.
- Eg: UK Lord Chancellor’s ACLEC (1996)
 - “This requires more than familiarisation with professional codes of conduct but includes advertence to the wider social and political obligations of the profession to society as a whole, its obligation to protect the rights of minorities within society and the welfare of the disadvantaged” (at 32).
 - “Students must be made aware of the values that legal solutions carry, and of the ethical and humanitarian dimensions of law as an instrument which affects the quality of life” (at 19).

A healthy legal culture? Ethical department?

- Notion of a “**healthy legal culture**” in 2000 *Managing Justice Report* (ALRC 89, 2000): desirably characterised by its:
 - honest, open and self-critical nature;
 - respect for, and effective communication among, stakeholders;
 - willingness to adapt and to experiment (or, put another way, not be resistant to change);
 - commitment to lifelong learning as an aspect of professionalism; and
 - deep ethical sense and commitment to professional responsibility.
- US Carnegie Report refers to “ethical department” – daily habits and behaviour

Healthy law students and lawyers

“...law school typically blares a set of salient, if unintentional, messages that undercut the likely success of efforts to make students more attentive to ethical matters”.
(Carnegie at 33)

- Competitive, high stakes, zero-sum game of law school
- Privileging rationale, objective analysis to exclusion of other qualities
- Values neutral stance of much lawyering
- As an aside – “growing data” that “legal education is harmful to the emotional and psychological well-being of many law students”
 - Best Practices (22) – Although law students enter law school healthier and happier than other students, leave in much worse shape
 - This echoed in the higher rates of depression, anxiety, substance abuse, stress, divorce, poor physical health in profession
 - In itself calls for a re-examination of our methods here – moral development

Interactive scenario: A week in the life of a suburban lawyer

PBLi A week in the life of a Queensland suburban lawyer

How good are you at dealing with a practice where a number of ethical issues arise?

This interactive scenario gives you the opportunity to test your skills as a suburban lawyer who has to deal with a number of clients in a difficult week. When you click on the link below, you will be transferred to the world of a legal practitioner.

You will start out in your office. To navigate through your world, click on Locations in the top left window, Items in the top right window or Actions in the lower left panel.

We suggest you attend to your 4:00 appointment with Ms Shanahan first, but you also have the option of exploring what's on your computer on your desk.

To make sure you get the most out of this scenario please ensure the computer you are viewing this scenario on is setup for sound playback.

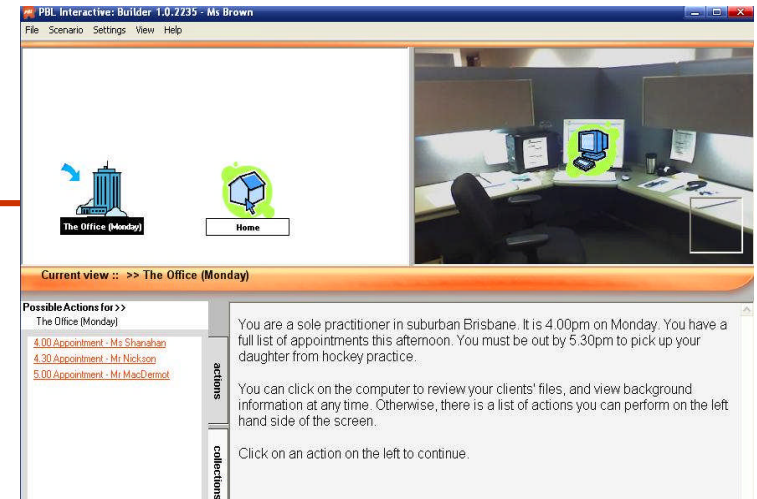
You will get instant feedback when you submit answers to questions occurring in the scenario (these answers are not recorded). At the end of the scenario you will be able to get a debriefing that covers the main issues raised during the scenario.

http://scenarios.pblinteractive.org/law/intro/pbl_legal.html

- Opportunity to engage as a suburban lawyer who has to deal with a number of clients in a difficult week.
- Provides instant feedback on answers submitted
- On conclusion, debrief that covers the main issues raised.

Scenario based learning...

- Simulation based in authentic legal context worked through by applying relevant knowledge & practice skills make decisions/choices
- Realistic ethical dilemma that is *both* cognitively *and* attitudinally engaging
- Differs from wholly text based presentation because requires behavioural responses to move through scenario (rather than the answers to content questions) –
 - This not about the acquisition of more/new knowledge or skills
 - Focuses on performance improvement rather than correct answers
 - Looking for changed behaviours & indicators of internalised responses



Educating Lawyers

Inadequate concern with professional responsibility

“...complement the focus on skill in legal analyses with effective support for developing ethical and social skills. Students need opportunities to learn about, reflect on and practice the responsibilities of legal professionals”. (Carnegie)

- Other disciplines (seminaries, medicine, business, engineering) use well-elaborated case studies of professional work
- Bring the case study back home to law!!!
- Ethics in specialised contexts (eg family law, tax law, mediation, etc) – meet with practitioners and discuss

The Future for Legal Education?



integration
engagement
creativity
experience
community
critique
evolution
value(s)

<http://www.youtube.com/watch?v=zWia3GCzyLQ>



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Thank-you for listening

Questions and Comments

