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**International
Young Scholars'
Workshop**

New methods of teaching law problems & perspectives

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Abstract

There has been shift from, only '*Class Room Learning*' to the '*Clinical Method of Learning*' and it will be the major revolutionizing work in the history of Law Teaching. The researcher will discuss in detail the learning by doing method which can be used for teaching law students and also evaluating them. The present '*Learning by doing Model*' can also be used to evaluate various projects of students. Apart from that the researcher will present quite a few models to integrate the different subjects with clinical approach of teaching law and make recommendations as to how this can be mentored and evaluated. The researcher has discussed in detail the model adopted in Galgotias University and its pros and cons and how this model has helped the students in better learning.

Keywords: Clinical Legal Education, Learning by Doing, Workshops, Law Clinics, Legal Aid.

New methods of teaching law problems & perspectives

It has been suggested that the “Digital Age provides an opportunity to revitalize and modernize legal education and to make it more individualized, relevant, human, and accessible”¹.

When the world is talking about education 4.0 legal education has its own pace of development. The technology is changing legal education and research in a great way and soon online clinical legal education will become a reality. On one hand we are talking of clinical legal education going online while on the other hand we find that concept of clinical legal education has not reached many countries and universities till now. As the world is running for education 4.0 legal education has to realize education 3.0 fully first. Legal education has to first achieve education 3.0 by being socially relevant and contextually reinvented². **Legal education in different continents has a different level of development and many countries especially in Asia are not even aware about learning by doing model of teaching and learning**³. Under this article researcher will discuss new methods of teaching and learning especially in context of exams , projects and class room exercises.

We are aware of the fact that almost every Law School or Law Department in world runs a “Legal Aid and Awareness Society” which might be called with different names such as legal

¹McCrimmon, Vickers Ros & Parish Ken, 2016. Online Clinical Legal Education: Challenging the Traditional Model, <https://www.researchgate.net/publication/311741736> Online Clinical Legal Education Challenging the Traditional Model

²Gerstein Jackie, 2018. The Difference between Education 1.0 & 3.0, <https://www.teachthought.com/the-future-of-learning/past-time-education-3-0/>

aid clinic , law clinic , legal aid society etc⁴ comprising of students and teachers. These Legal Aid Societies conduct various Workshops, Awareness Camps, Symposiums, Jail Visits, Street Plays etc. adding to the concept of Clinical Legal Education. The difficulty with most of these Legal Aid Societies is that they function on a *Part - Time Basis*, and their functioning is largely influenced by the Course Schedule of their School, Department or Institution, which is very hectic.

Clinical Legal Education from the last decade has taken a new shape and almost all good universities are seeing it as a future of Legal Education. It is intriguing to know the various ways in which we can engage our classes, conduct exams, viva , projects and practicals.

The shift from, only '*Class Room Learning*' to the '*Clinical Method of Learning*' will be the major revolutionizing work in the history of Law Teaching. Not only for Legal Aid but we have seen in some universities of India and abroad that there are various Subject Specific Clinics as well like *Refugee Law Clinic at Regensburg, Germany*,⁵ *Criminal Law Clinic at Vanderbilt University*⁶, *Medical Legal Clinic at University of Memphis*⁷, etc. There can be various ways in which these clinics can function and in furtherance we can propose to include some new clinical legal education component as a part of almost all compulsory subjects in the curriculum or, as a chapter in the curriculum, not only for limited subjects but for almost all subjects of law.

³Anonymous, Learning by Doing, <https://law.ucla.edu/the-ucla-law-difference/learning-by-doing/>

⁴Bradway S. John, 1939. The Objectives of Legal Aid Clinic Work, *Washington University Law Review*, 24(2), 173-191, https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=4166&context=law_lawreview

⁵ Refugee Law & Research Clinic, Regensburg, <https://rlc-regensburg.de/>

⁶ Criminal Practice Clinic, Vanderbilt Law School, <https://law.vanderbilt.edu/courses/74>

In this paper the researcher is discussing how conducting learning by doing method can be used for teaching law students and also evaluating them. The present '*Learning by doing Model*' can also be used to evaluate various projects of students. No doubt this model has certain limitations but with proper planning and execution the faculty can overcome these limitations. The most important aspect of this "Learning by Doing Model" is that it helps in the all round development of the personality of Law Students. They work in groups, give group presentations, do researches, do issues framing, strike negotiations, do pairing and sharing⁸, jigsaw group discussion⁹, fishbowl approach discussion¹⁰, Tabula Rasa¹¹, question and answering etc. In the scope of this paper we propose that law teachers should include experience based/ activity based model of learning.

In addition to this, we intend to present quite a few models to integrate the different subjects with clinical approach of teaching law and make recommendations as to how this can be mentored and evaluated. There are many activities that can be planned by law students and these activities can be different for different subjects. For example subjects like Law and social change action research of any social problem like domestic violence, dowry death, rape, molestation of awareness programs about any new law can be conducted by students. Herein

⁷University of Memphis Legal Clinic, <https://www.memphis.edu/law/programs/legal-clinics.php>

⁸ Brooks L. Susan, Using Communication Perspective to teach relational lawyering, Nevada Law Journal, 15, 478-518, <https://scholars.law.unlv.edu/cgi/viewcontent.cgi?article=1586&context=nlj>

⁹Karacop Ataman, 2017. The Effects of using jigsaw method based on Cooperative learning model in the undergraduate science laboratory practices, Universal Journal of Educational Research, 5(3), 421-432, <https://files.eric.ed.gov/fulltext/EJ1134440.pdf>

¹⁰FishBowl/ Maximizing participation in direct conversations with experts, https://www.unicef.org/knowledge-exchange/files/Fishbowl_production.pdf

¹¹ Martin Kirsten, 2015, Privacy Notices as Tabula Rasa: An Empirical Investigation into How Complying with a Privacy Notice is related to meeting Privacy Expectations Online, Journal of Public Policy and Marketing, 34(2), 210-223, <http://www.cs.cornell.edu/~shmat/courses/cs5436/tabularasa.pdf>

below we are discussing few subjects and kind of "learning by doing exercises" possible in these subjects.

Cyber Law or Cyber Crime

Cyber law or Cyber crime subjects can be evaluated by professors by giving a task to students to conduct a workshop regarding misuse of social networking /other cyber crimes among school and college students. They can also provide training to employees and employer about Cyber Law and Cyber Security Tools¹².

Alternate Dispute Resolution or Mediation

The Professors teaching this subject can ask students to adopt a village nearby and help that village to become litigation free through mediation , conciliation etc. It requires students to make surveys and then identify the village to be adopted (better if it is near the College) . The project requires meetings with Sarpanchs of the selected Village and Taluka authorities. The members of the Legal Aid Clinic can visit the site after identification of pending cases and meet litigants before moving their settlement through mediators (alumni and teachers)¹³.

Consumer Protection Laws

¹² Beegum Abidha, 2014. Necessity of certain reforms in the field of legal education- importance of clinical legal education in India, International Journal of Political Science, Law and International Relations, 4(2), 1-6 <http://www.tjprc.org/publishpapers/--1396435425-1.%20%20%20Necessity%20of%20Certain%20Reforms%20-%20full.Pdf>

¹³ Bloch S. Frank & Ishar S. Iqbal, 1990. Legal Aid, Public Service and Clinical Legal Education: Future Directions from India and the United States, Michigan Journal of International Law, 12(1), 92-120 <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=1639&context=mjil>

In India for appearing in consumer cases one does not require a law degree and hence students can also appear in consumer forum on behalf of clients. Students can also gain knowledge of consumer laws by conducting workshop on consumer awareness for people who are not well versed with law. The students will get clinical experience by handling live cases and society will get free legal knowledge so it's a win win situation for all¹⁴.

Legal Research or Research Methodology

Under this subjects professors can give student a task to do a small action research on contemporary problems faced by women , children , transgender , old age people etc. Under this subject awareness programs on domestic violence, sexual abuse, molestation, dowry harassment , good touch and bad touch, child sexual abuse etc can also be planned. This will give students a firsthand knowledge on human rights violation and contemporary challenges to legal system. Students by these exercises will develop understanding of problem and will bring out solutions for the same.

Constitutional Law

Constructional law is one of the most important law for any country and under this subject maximum activities are possible. Students of constitutional law can be evaluated on the basis of drafting of Public Interest litigation or conducting awareness programs on constitutional law specially fundamental rights and fundamental duties etc.

Indian Penal Code or Criminal Law

¹⁴ *Id.*

Under this subjects students can be evaluated for mediation or conciliation that they do in petty offences and complaints of criminal nature. This will lead to lot of out of court settlement and will save time of court and also of the parties. Students can also be asked to conduct legal awareness programs in villages and areas prone to crimes. These programs will not only aware people about criminal law but also bring down the rate of crime.

Human Rights , Gender Rights , Refugee Law , Human Trafficking

Under these subjects students can be evaluated on their performance in conducting workshops. Students can conduct a awareness workshop on Women Rights, Human Rights, Gender Justice, Child rights, Child Sexual Abuse, Child Trafficking, Human Trafficking , rights of refugees etc . Awareness should be specially done at places which have maximum cases of the above mentioned violations. By preparing “*Know Your Rights*” Series ¹⁵.

Family Law

Students can be evaluated under this subjects on workshop conducted by them on Domestic Violence, Right to Maintenance , Dowry Protection, etc. and students can also be given a task to setup a *Dispute Resolution* both in villages for mediation and conciliation.

Corporate Law

Under this subject students can prepare draft Article of Association or Memorandum of Association . Law students can also help Medium Scale industry to frame *CSR Policy*. Students

can also be asked to Help Small Scale Industries with legal problems which they are facing. Students can also organize awareness workshop on sexual harassment at workplace at these small and medium scale companies.

Environmental Laws

Subjects like environmental law can be taught through case studies but the best part of it is too learn by doing. In learning by doing students can draft public interest litigation and RTI application related to environmental concerns. Students can also undertake awareness programs about environmental concern and environmental law . The students can also make small and medium scale industries about rain water harvesting plants, solar energy and how to follow statutory environmental norms.

Banking and Insurance Law

Students can be allowed to start a facebook page and take queries of people having issues related to banking and insurance law with the help of faculty members and advocates. University can also motivate students to start ADR mechanism to solve the problem of banking and insurance law.

Labour and Industrial Law

Students can start online and offline awareness campaign and awareness programs on equal Remuneration, Sexual Harassment at Workplace, Health Practices to be followed, safety rules

¹⁵ Mohammad Mahdi Meghdadi, The role of legal clinics of law schools in human rights education; Mofid University legal clinic experience, *Procedia Social and Behavioral Sciences* 15 (2011)

etc. Students can also prepare know your rights series and distribute it to workers , working women to aware them about their rights.

IPR/Copyright/Trademark

Awareness to Students and Employees about misuse and violation of IPR & Copyright in day to day life. Through in this paper we are advocating the inclusion of *learning by doing* in the mainstream legal education curriculum as it engrains the learning in the students for a life time. The first hand experience which they earn is the base for the application of their knowledge in the practical legal work.

How this model of learning by doing can be incorporated in the subject for teaching or for evaluation is discussed below.

Learning by doing Model Experience Sharing: There were 240 students of Public Interest Lawyering, who were divided into 32 Groups while conducting the ‘*Gender Sensitization Workshop*’ and 60 students divided into 8 Groups conducted the ‘*Cyber Awareness Workshop*’. These workshops were conducted at various schools (both government and private schools), slums, rural areas, workplaces, small markets etc. The workshop generally lasted for 1-2 hours where the people were made aware of gender specific laws prevailing in the country¹⁶. The

3014–3017 .

¹⁶ Total around 64 workshops was conducted by 9th semester student of Nirma University Institute of Law in different parts of Ahmadabad, Gujarat.

workshop comprised of lectures, short plays and discussions. **A similar *Workshop Model* was used to evaluate the semester project of *Cyber Law in School of Law, Galgotias University* in which around 8 workshops on *Cyber Awareness and Cyber Crime* were conducted by the Law Students¹⁷.**

Both the above mentioned Workshop Models were attempted on the last semester students, but we suggest that these programs are very efficient and useful for other semester students also.

Below we have discussed and shown various steps that need to be followed to organize such workshop and make a *Workshop Model of Clinical Legal Education* a success.

Steps Involved in implementing this Workshop Model of Teaching Law

Step 1: Discussing the theme of the workshop with students

Step 2: Reviewing of documents to be presented by students (Including PPT, video and script).

This is very important because we never know what kind of material students will use during workshop so through scrutiny is needed.

Step 3: Suggestive comments - This step will help faculty to suggest changes in student material and handout. Subject faculty can also lay emphasis at this stage to guide the students to do better research.

Step 4: Issue of a No Objection Certificate (NOC) to the students to conduct such workshops.

They can produce this no objection certificate at the place where they are planning to conduct the workshop.

Step 5: Students visit schools, colleges, and corporate offices to fix date for workshop (No attendance relaxation, no TA DA etc). This improves students networking and negotiation skills.

Step 6: Subject Co-coordinators can help students if they are not able to identify places to conduct workshop. Subject Co-coordinators should in advance prepare a list of places and personal links where workshops can be conducted in case students are not able to fix the place of workshop by themselves.

Step 7: Subject Coordinator should keep a record of time, date and place of such workshop. Subject coordinator should keep records which will help faculty to visit the venue of the workshop on the workshop day and if possible faculty can witness the complete workshop conducted by students and mark them regarding their presentation and involvement. If faculty is not able to visit he can request students to create documentary evidence of the workshop including pictures and video. These pictures and videos can be later on attached to the report file submitted by the students.

Step 8: Relaxation of attendance on the day of workshop and surprise visit at the place of workshop by the coordinator.

Step 9: Submission of Report file to the subject coordinator.

Step 10: Preparation of file containing all relevant documents and individual learning outcome of the students.

Step 11: Feedback by both students and teachers (feedback form to be prepared in advance) and to be attached in the report file submitted by the students.

Step 12: Taking steps to solve any problem identified (with the help of RTI /PIL, ADR and Legal Aid). The legal aid committee or clinic can help the students to achieve these particular objectives.

The students were benefitted in the following ways:

- *Students learnt to work in a group/team*
Students were allowed to select their own teams of five members with whom they would conduct the workshop. Students had a great experience working in a group. Some of the students faced problems because of other group members but with proper counseling and guidance by faculty the problems were solved.
- *Each group had a group leader (rotation policy adopted)*

Each group was asked to select a group leader which helped students to identify leadership skills among themselves and also because of rotation policy they developed the skill to let go and be a good follower also when required. The team leader was supposed to communicate with the respective subject faculty and also with the body with whom they were organizing the workshop. The Team leader with the help of the group decided the topic, time limit, venue and mode of workshop.

- *Understanding the problems & ground realities*

A thorough research was conducted by students on the problems related to their topics and they wrote a small summary/ content of the problem identified and discussed the same with their respective faculty member. After getting the approval from the concerned subject faculty they prepared a Power Point Presentation (PPT), Study Material and Hand Outs to be distributed at workshop venue.

- *Communicating with different people*

Students communicate with different stakeholders about the problems identified and the best place to conduct the workshop. After the discussions with the subjects and objects of the workshop the students finalized what materials they need to give them and the extent to which the knowledge would be dispersed.

- *Keeping oneself updated with various national and international laws*

The students who were conducting the workshops were required to know most of National and International Laws related to their topic as sometimes the audience can ask the *Redressal Mechanisms* and laws related to any particular problem. Students were also forced to know the administrative issues like, whom to complain, in which format, what is the fees, office address, content of complain etc. In one such kind of workshop the students were addressing the issue of *Cyber Crimes to BCA (Bachelor of Computer Application) students* and various questions were asked about computer emergency response teams, how they function, who can file complain etc. Therefore, this model helps students to know both theoretical as well as practical and administrative issues related to any situation or topic.

- *Some students also went to the extent of facilitating people to procure legal remedy as required*

Some of students helped the people from the audience to file RTI applications, cyber complaints, public interest litigations. Trained students with knowledge of such intricacies are found in less in number, but faculty can always encourage such students by appreciating in terms of marks and feedback.
- *Students were able to integrate theory doctrine and practice*

Because of this exercise students were able to understand the subject well and understand the difference in theory, doctrines and practice of a subject.
- *Students were able to develop ethical, social and professional understanding*

Student conducted slum and rural development programs and because of which they can understand the gross root problems. Student during these activities developed sense of responsibility and ethical duty being a law student to protect underprivileged people.
- *Students acquire sense of commitment for social reformation*

Some of the students started their own Social Help Group, NGO, Volunteer Organization. Some of the students who could not start any work like the NGOs etc. started online campaigns, legal awareness programs etc. at their own level.
- *Improved critical thinking and logical reasoning skills*

During the workshop students faced various interjections and interrogations which helped them to develop logical reasoning which would be beneficial for them in the future in all their subjects. Teaching a non law person, about different laws gave them a different perspective of how they should see the nuances in the Indian Legal System.

We have a saying in the Indian tradition '*Learning while Teaching*' and this is what the students picked up from the activity.

Example of on An evolution model for workshop method of teaching

EC No.	Evaluation Component	Marks (50)	Date &Time	Nature of Component
1.	Awareness Workshop Session Plan	10	10-14 th Aug, 2019	Soft copy submission
2.	Awareness Workshop Overall Conduct	Total 20 (5 Body Language, 5 for Clearing Doubts, 5 for Clarity of Idea & 5 for Research)	5-9 th October,2019	Soft copy submission
3.	Report Submission of awareness workshop	10	4 th Nov,2019	Hardcopy submission.
4	Viva	10	8 th Nov, 2019	Panel of two law professor

Components for which student needs to be evaluated, Grading and Marks

Clinical Legal Activity includes a problem of *evolution, grading and marks*. Faculty has to be very active, diligent and futuristic while designing the marking scheme. Students may raise issues related to the component of marking, dates of submission, academic schedule etc. All these workshops need to be planned well in advance from the side of the faculty.

- (1) Timely Consultations with the respective subject faculty need to be done.
- (2) Material used for conducting workshop including hand out, video links, images, etc. need to be selected and prepared.
- (3) Innovative methods should be used during conducting workshop.
- (4) Documents should be collected including feedback form, questionnaire, pictures, videos, interviews, etc. in the course of the workshop.
- (5) Students can be evaluated also on the basis of individual learning outcomes and work experience details.
- (6) Hardcopy file submission by group should be essential, containing individual learning outcomes and work details.

Index of hardcopy is given below:

- (a) Cover page (Including group details and details of faculty members involved and college logo)
- (b) Acknowledgement
- (c) Introduction
- (d) Details about venue, time and strength where the workshop was conducted
- (e) Copy of all the materials used during conducting the workshop including hand outs, video links, images, etc.
- (f) Pictures, videos of the day of workshop
- (g) Copy of all the documents collected including feedback form, questionnaire, pictures, video, interview etc during workshop.
- (h) Individual Learning Outcome and Work Details
- (i) Group Learning Outcome and Conclusion
- (j) Bibliography of material used to conduct of workshop

Hurdles in implementing the suggestions:

- Lack in proper planning of time, place and academic schedule.
- Infrastructure problem.
- Proper monitoring and screening of every student not done.

- Managing students (especially in large numbers)
- Proper documentation not done.
- Improper Evaluation of Marks
- Institutional Requirements and Compulsory exam scheme.

Requirements for proper working of this model:

- Flexibility to design course curriculum, exam scheme, evaluation pattern etc.
- Creating unbiased and objective rubric system of evaluation.
- Proper planning well in advance.
- More number of faculty and co-faculty for Subjects.
- Training of faculty to design and conduct such programs
- Better Para-Legal Training

Conclusion:

After conducting various clinical legal exercises and "learning by doing model exercises" in different subjects our experience was that the students came back with a bag of mixed feelings. Most of the students appreciated this kind of project because of the overall development they felt. It was more than, just theoretical knowledge. Whereas, a few of them had issues related to identifying the places for workshops, group marking and other grading factors. *Learning by Doing* gives holistic learning experience to students as they are able to practice what they have learnt effectively. These kinds of clinical legal exercises should be made a permanent feature in teaching all the law subjects in the law schools and universities, because through this we encourage learning by experience, we help the students to acquire specialized set of skills. The "*Learning by doing*" *Model of Clinical Legal Education* motivates and develops the students as great innovative thinkers, also polishes their professional ethics, and makes them more grounded with the issues which the real world is facing outside. All this they see, observe and experience even before they go out as lawyers. Though some issues are there like getting appropriate staff to operate the clinic, or appropriate funding to keep the Clinic

running on an everyday basis but despite these challenges we would say that *Clinical Legal Education* is future of teaching and learning law in India and we should start using these different ways to make law more innovating and refreshing than just remembering articles and sections. We should have a common knowledge sharing platform and share best practices with other law faculties and universities.

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