

essays intended for first-year students, prompted the author to re-examine the ways in which first-year students learn law.

First-year students need to develop broad perspectives on law. In Australia, university law schools must reconcile the intellectual demands of the university and the competency-based needs of the different branches of the practising profession. Students must develop certain stores of knowledge, skills, competencies and attributes which will enable them to participate in society as educated citizens engage in various types of legal work. This requires technical skills, an ability to recognise changes in society and sufficient flexibility to apply existing skills and knowledge within that changed society and to learn continuously from whatever sources are available. This in turn requires an understanding of the social, political, historical and economic context of the law.

There is ample literature to suggest that students learn less enthusiastically when they are confronted with material that is unfamiliar, or expressed in jargon that is strange and distant. The book takes an approach to learning whereby students are encouraged to examine the arguments critically, question the assumptions on which they are based and relate them to previous knowledge and understanding, rather than learning by rote. There is also ample literature that suggests that students learn more when they are actually engaged in doing something which requires them to explore and apply the objects of their study. While this suggests that 'clinical' experience is the most effective way for students to learn, it is far more expensive than traditional education. However, hypotheticals and other problem-based techniques can be used in the class-rooms in ways that lead students to technical solutions and also to 'contextual' issues. Understanding the law is incomplete without an

understanding of the processes of creation and transformation of the law and legal culture.

#### **A new law teacher's guide to choosing a casebook**

E L Muller

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Where can the new law teacher turn for advice on how to choose the most appropriate casebook? Although excellent articles offering advice to new teachers have been published in recent years, they virtually offer no guidance on selecting a casebook. A new teacher needs to know much more information in order to choose casebooks that will carry him or her through the difficult first year of teaching.

Basically, casebooks have been categorised as those containing 'cases, cases and more cases', 'cases and substantial commentary' and 'cases and commentary with direction and probing'. The law lecturer is extremely important to the three major casebook publishers. You should contact them to tell them the course you will be teaching and ask them to send examination copies of any casebook that relates to these courses. Once they know who the new teacher is, these publishers and the smaller publishers as well will begin to bombard him or her with copies of their products.

The new teacher must resist the temptation to pick the most popular book. Experienced teachers need much less from a casebook than the new teacher and their preferences should not dictate the latter's choice. While it is impossible for anyone else to choose a book that best suits the style, interests and perspective of the individual teacher, there are several helpful guidelines. Look at copyright dates and make sure that the casebook you choose is not about to become obsolete; choose a casebook that balances cases with notes, questions

and other explanatory material as long as it is not too long. A casebook that is overly scholarly will be lost on most law students and the class will not have the time to cover all the material. Choose a casebook containing problems that require students to apply the cases they are reading to new facts. They represent a ready-made way of presenting the material through something other than constant interrogation. The teacher should remember that the casebook will be the primary resource for teacher and students alike; it should guide as well as provoke and should offer a relatively conventional approach to the course materials, particularly in areas that the teacher does not know well.

The interdisciplinary shift in the study of law in recent years has begun to manifest itself in casebooks, and the new law teacher may find that a casebook that presses a reader to view the material through the lens of, for example, economic theory, will make the legal doctrine less accessible to the student and add to the teacher's burden. It may also be helpful to find out something about your prospective students from experienced colleagues. A demanding, scholarly book, for example, will be wasted on a group of students who want to join a small-town general practice. Avoid blindly choosing a book that will create or fuel controversies better avoided in the first year of teaching.

Finally, choose a casebook that comes with a teacher's manual. You should ask the following questions about it: Does the manual supplement the difficult and unanswered questions in the casebook with still more difficult and unanswered questions, or does it actually suggest some answers?; Does it offer you the benefit of the author's experience in the classroom?; and Does the teacher's manual actually tell you how to use the casebook? In other words, ensure that the manual itself both makes the materials clear to the teacher and

provides practical suggestions on how the teacher should make them clear to students. Choose a manual that provides concrete teaching advice on how best to use the casebook, such as what materials to include and what to omit and what materials should come first and what later. Careful examination of a teachers' manual will tell you whether it really will help you adapt the casebook to your own needs, or simply leave you to your own devices in taming what may be a somewhat unruly text.

## TECHNOLOGY

### Multimedia teaching and the law— perspective and future applications in law schools

S Colbran

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The information superhighway brings with it an unparalleled opportunity for gathering and disseminating information. This, together with advances in legal courseware, will redefine the concept of a law school and alter the current method of legal education and examination.

The traditional lecture method of teaching is open to error and places an overemphasis on verbal communication. Students take poor notes and time spent travelling would be better spent on research. The lecture system is also inefficient. Students and staff waste time travelling to and from lectures; large class sizes necessitate the repetition of lectures; funds spent on building and maintaining lecture theatres could be better spent elsewhere; and there is an economic cost associated with the spread of disease consequent upon cramming large numbers of people into one location.

Interactive self-paced teaching, which may take several different forms, is a more effective way of learning and eliminates many of the problems

associated with the lecture system. The only limits on the legal course materials presented through this medium are the imagination of their creator. Interactive seminars can encompass a broad range of materials from simple text to expensive multimedia programs. Interactive moot courts can be created which enable students to engage in the adversarial process with strict guidance by an expert electronic judge.

The law library will become a virtual library accessible from any location with all currently printed works, books, seminar papers etc. available electronically. This will revolutionise the library. We will not need to build large buildings to store materials; book retrieval costs will be a thing of the past because they will be available on line to all interested users; there will be no reshelving costs; there will be increased expenditure on electronic services and infrastructure; looseleaves will be converted into electronic form, saving on filing costs; the profiles of library staff will shift to a higher level research and advisory role; electronic books with interactive and multimedia capabilities may be developed. Furthermore, instead of a number of libraries duplicating the same resources, a central library offering electronic resources to all university law libraries, law firms and students via direct access links may emerge.

There are other possible developments. The concept of telecommuting may eventually lead to the replacement of academic and administrative offices in favour of home offices. Students will be able to undertake legal education in their own homes from any location on the planet. The Queensland University of Technology is already using electronic study guides which allow students to modify course notes with their own ideas and lecture material. Electronic casebooks are presently being used at some law schools in the United States, alleviating the need for students and universities to waste time

photocopying a single frayed copy of a report.

Distance education is the future of legal education. Technology will free us from the university infrastructure and will free the universities from their present level of funding on infrastructure. What infrastructure does exist will be shared amongst several law schools. Physical attendance at lectures and seminars and physical searching at libraries for standard printed material will be things of the past.

Electronic sites could be established to distribute course material such as multimedia programs, prerecorded lectures and access to virtual libraries. E-mail and video conferencing will enable direct communication with lecturers and the possibility of seminar groups and discussion groups. More can be devoted to content, presentation, and delivery rather than the repetition of instructional materials.

The decline of the traditional law school and the growth of distance education will see fewer law schools with consequent staff reductions. Economies of scale and reduced costs will occur as multimedia courseware can be used by large numbers of students simultaneously from any location.

There are advantages and disadvantages in implementing multimedia. Obvious advantages include an emphasis on student interaction, individual teaching adjusted to student ability, reduction in course cost through competition, countering lack of primary material and increasing class sizes and convenience in that students will be able to study the programs at their own pace. Disadvantages include an inevitable level of dehumanisation, reduction in staff/student and student/student interaction, costs for infrastructure and programmers, updating costs, loss of academic staff