

a series of different styles alone is insufficient to facilitate good learning.

An understanding of how students prefer to learn underlies any attempt to maximise learning and revise teaching strategies. Golay's Learning Pattern Assessment distinguishes four learning styles. The actual-spontaneous learner (ASL) prefers to learn by experience. Consequently, if they are just talked to, it will go in one ear and out the other. In a tutorial, the interest of ASLs must be stimulated. They must understand the real life/ practical benefits of why they are doing a task and these benefits must be meaningful to them. As their attention span is short, presentations to this groups should also be kept short. The lecture method is therefore of little benefit for this type of learner. They do not seek intellectual ideas. Rather, their focus is on direct and immediate relevance.

The actual-routine learner (ARL) responds well to lectures, demonstrations, drills, routine and a high level of structure in the classroom and the content of the lesson. Accordingly, they prefer set goals and guidelines and are generally most interested in the practical aspects of the material they are learning. Unlike ASLs, ARLs have an eye for finer points and appreciate detailed handouts. Comprehensive notes of the teaching session are important to ARLs. As they prefer set routine, familiar patterns and practised methods, ARLs are usually not comfortable with spontaneity and creativity.

The conceptual-specific learner (CSL) responds well to theories and principles and enjoys piecing them together for application to actualities. They can concentrate well and generally have a high level of critical and analytical skills. Oriented toward future possibilities to apply their depth of knowledge, CSLs dislike a pure information transfer approach, routine and drills. CSLs appear as inquisitive students, asking questions to learn more and improve their knowl-

edge. They do not seek out relationships with others and do not enjoy student-directed classroom discussions, as they prefer to direct their discussions and inquiries to the tutor.

The conceptual-global learner (CGL) is a future-oriented, big picture learner who is comfortable relying on his/her own intuition. An oversupply of details will result in their eyes glazing over and their brains switching off. CGLs relate all learning to their personal situation and draw out the relevance for themselves. Accordingly, they approach learning from a subjective perspective. Impersonal and objective information transfer is not their idea of learning. Excellent judges of character, they treat situations and individuals uniquely.

Surveys conducted in the United States on the behavioural styles of law students indicate that the majority of law students possess temperament types which equate to the learning styles CSL and ARL.

Tutors will not be able to please all students all of the time. One strategy is to teach to the specific learning styles within each tutorial group. This is a precarious strategy because research on learning styles is still in its infancy. The other primary objection to this strategy is based on the notion that students must learn to learn in a variety of ways.

Joint responsibility for learning contributes towards promoting professionalism and responsibility amongst graduates in order to prepare them for the 'real' world. Recognition of and the ability to respond to human differences is a fundamental tool for working in a multi-disciplinary environment and for successful classroom dynamics. The learning environment is the ideal place to prepare students for this. Joint responsibility for learning involves a major student shift from a passive learning role, where dissatisfaction and poor performance are blamed on the tutor, to a proactive role, where students con-

sciously contribute to the structure and content of their learning.

Tutors are in the ideal position to encourage proactive and responsible learning in students. The learning styles activity is a highly effective initial activity for implementing joint responsibility in learning. Students are handed Golay's learning patterns inventory questionnaire to complete. The tutor explains to students how to identify their preferred learning style. Students are then divided into four groups according to their preferred learning style. Each group then reports back on its responses. By using the medium of a facilitated discussion, students discover for themselves how different they all are.

Developing joint responsibility for learning is more than a one-tutorial task. For example, addressing the issue of learning styles through the activity described above is a breakthrough step. When students become conscious of the process of learning and the factors that influence it, they are keen to see this knowledge in action. One should vary approaches to teaching and where appropriate explain to students the reasons for adopting a particular style.

Educating students that learning is a joint responsibility of both tutor and student may involve a small investment of time but it is an investment that reaps rewards. Students are prepared to share responsibility for the effectiveness of tutorials if they are directly involved in the structure, format and content of the tutorial itself.

Coordinating civil procedure with legal research and writing: a field experiment

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Active engagement in the learning process produces more effective learning for the time invested, better retention

of information and greater enjoyment as well. By contrast, first-year law students are typically passive learners. They read materials assigned by the teacher, little understanding why they are reading those particular materials. Usually their limited readings, even supplemented with class discussion, leave them with no sense that they have resolved any legal issue, have examined all relevant authorities, or have appreciated how one issue relates to other issues or to actual client problems.

Wouldn't it make more sense to have students learn through a more proactive set of assignments? The teacher could pose legal problems to the students in the context of a client's case and let the students determine what they needed to learn to resolve the problem, find the appropriate sources, and analyse how the law would apply to the facts. Obviously this approach would take a lot of time on the part of students and teachers alike.

It occurred to the authors that they could come close to the ideal pedagogy if they coordinated Civil Procedure with the Legal Researching and Writing (LRW) course. This could accomplish several goals. First, students would gain a sense of how procedure issues actually arise in practice, as opposed to the post-hoc manner in which they are posed in casebooks and discussed in class. Secondly, the students could get actively involved in evaluating problems, choosing research methods and goals and applying procedural concepts to new fact situations. Thirdly, they would simply learn more about the procedural issues used in the Legal Research and Writing assignments, since their research and writing in those areas would complement the more abstract discussion in the Procedure class.

Students frequently complain about the time spent on LRW skills, often for few credits. Only after they clerk in a law firm do they recognise that their work as a young lawyer is primarily LRW.

We believed that providing students with more context for their LRW assignments would help them appreciate the practical benefits of the course and encourage them to engage in the work more enthusiastically.

The students were assigned their first LRW memo, based on a domicile issue from a simulated case. To introduce the case to the students, teachers held a client interview in class. One Civil Procedure teacher and one LRW teacher interviewed the plaintiff to obtain the information necessary to analyse his domicile. The interviewers purposely did not elicit all of the relevant facts relating to domicile. Then the students asked additional questions that they felt were necessary to understand the issue. After the interview, the students prepared a statement of facts for their LRW memos, using the facts obtained during the interview. After they turned in the assignment, teachers held an oral argument in the school's moot courtroom, followed by a discussion of advocacy styles, the process of arguing and dealing with questions and the substance of the issue.

The second assignment in LRW was to research and write another memo. A second oral argument over which a federal judge presided and offered comments both on effective oral argument and on the merits of the motion. The facts had been derived from a real case. Toward the end of the semester, the lawyers who had litigated the actual case attended an LRW class to discuss the strategy and politics.

In the spring we introduced students to pleadings and pretrial motions in Civil Procedure and used problems in LRW which illustrated those motions. At the same time, the LRW teacher introduced their spring problems by giving the students a complaint and a responsive motion to dismiss. The first LRW assignment was to write a memo in support of or in opposition to the motion to dismiss. After the students had briefed the

motion to dismiss, we held joint arguments on the motions, using student volunteers on each of the two problems.

When asked to evaluate the collaboration by answering open-ended questions about what they liked most and least, the responding students were positive about the coordination of the courses. When asked what aspects they liked most, students consistently mentioned the deeper understanding they felt they had gained of Civil Procedure topics by applying them to their LRW assignment. Students liked bringing the legal concepts of Civil Procedure to bear in a practical setting. Students also noted that using topics they had studied in Civil Procedure made their memo easier to write. A few thought working on the same case through the semester was dull. A few commented on confusion in some instances where their procedure and LRW teachers seemed to give conflicting analysis of a particular legal issue. However, students said the joint approach should continue.

The collaboration enhanced students' experience in the Civil Procedure course. Their engagement was evident in the various in-class simulations. The students gained a lot from the oral arguments on the issues they had studied in LRW. While it may have been odd to see their teachers act like real lawyers, the students were also witnessing effective, subtle application of procedure concepts to a case they knew well. The collaboration also seemed to improve some students' exam performance. Working with the concepts in a concrete factual setting and writing about procedural issues appeared to help students who may have been struggling with these concepts.