

tential to ameliorate these kinds of learning problems.

The use of an appropriate case study has the potential to promote a range of learning outcomes for students, including the following: greater depth of understanding; better skills acquisition; increased motivation to learn; enhanced awareness of the choices facing parties; and greater appreciation of the different perspectives of the parties involved. Some of these benefits could probably also be achieved through the use of simulated files. However, the knowledge that a case study deals with real persons and events is likely to make it more interesting for students.

The preparation of the case study has been a major logistical exercise involving a number of complex legal and practical steps, which took approximately 10–12 months to complete. The major legal obstacles which arose were in the areas of confidentiality, copyright and legal privilege. A considerable amount of time was spent in meetings of teachers identifying and discussing potentially relevant cases in both the state and federal courts. In the end result, *Dynasty v Coombs* finally presented itself as the most appropriate case for our purposes, as it involved a number of transactions and documents, which, if presented to students, could give them a full insight into the nature and operations of the company.

Approximately 7–8 months were then spent obtaining the consents of the various parties to the litigation and selecting, compiling and editing the relevant materials. The final step in the process involved the development of commentary, questions and associated problem exercises and assessment tasks, so that the students could receive the full benefit of the case study.

There are at least three ways in which documents can be used in the teaching of a basic corporations law subject. First, materials can allow students to see examples of essential types of company law documents — providing *exhibits* for classes. Secondly, materials can be used as a source of illustrative factual or legal examples for use in covering a wide range of topics in class. Thirdly, materials can provide a factual or legal context upon which to base assessment tasks.

The authors are wary of generalising but overall their experience in developing a case study has confirmed their belief that materials of this kind offer significant potential benefits for teaching in this area. However, the development of these materials proved to be considerably more difficult than initially envisaged. In particular, obtaining the necessary consents from the parties and their legal advisers can be a hazardous process, in the sense that a refusal from even one may undercut the entire project. At the very least, it can be said that the development of a case study is very time-consuming.

Some of the obstacles the authors encountered flowed from the fact that they were seeking to build a case study around a real and identified case. There are several alternative approaches which could be considered, including using an anonymous case study (however, copyright consents must still be obtained) and the use of a simulated case study. Nonetheless, it is doubtful that either of these alternatives will make the development of a case study substantially easier and therefore the authors intend to develop further case studies along the lines of *Dynasty v Coombs*. Ideally, a *battery* of three or four studies would be required for the purposes of a subject such as Corporations and Business

Associations Law, which would allow one or two to be *rested* from year to year so as to ensure their freshness for successive classes of students.

TECHNOLOGY

Computer assisted learning coming of age

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15 *J Prof L Educ* 1, 1997, pp 31–49

There have been recent developments in the United Kingdom which have brought computer assisted learning (CAL) into every law school. CAL has its enthusiastic supporters and its fair share of critics. These varied reactions were to the first generation of computer assisted learning packages which were heavily dependent on linear structures and rather primitive multiple choice questions.

The Law Courseware Consortium's IOLIS package is hailed as the second generation of computer assisted packages that has addressed at least some of the identified deficiencies of the first generation. In 1996 an initial postal questionnaire provided some first reactions. Almost three-quarters of the law schools that responded were using IOLIS. The main message from this initial survey is that it will take time for both teachers and their students to integrate IOLIS into their teaching and learning, both as a result of technical difficulties and unfamiliarity with this different teaching and learning environment.

Not only do different people learn in different ways but different modes help the individual to remain involved with the learning process. Studies have shown that the computer provides a learning medium that is as effective as other forms of learning. Intellectually challenging material can test the resilience of any attention span but variety can help keep interest alive. If

the computer can stimulate interest in learning, then it needs to be exploited to a standard that makes full use of its potential.

The computer has a number of advantages over more static methods of learning. CAL demands the student's involvement. The student must interact with the computer in order to learn. Information can be presented in a far more dynamic format than the simple written word. The ingredients of legal rules can be teased out of the sources, those legal rules themselves can be applied in given factual scenarios, the policy of the law discovered and the context demonstrated. The emphasis thus shifts from static instruction to active learning. The computer can detect the student response and provide feedback. The computer can go some way to replicating the tutorial setting. Whereas it cannot replicate the spontaneity and creativity of the tutorial or the sensitivity of the teacher to student needs, it can demand participation.

There is evidence, both anecdotal and empirical, to show that computer assisted learning is popular with learners. It allows them to remain in control of the pace and extent of their learning. Students can also learn in private which many students may find less stressful than the more public group activity of the seminar or tutorial. The interactive capacity of the computer is perhaps the area of CAL that merits the greatest attention and development. It is demanding of the author as well as the student. Authors familiar with one-dimensional largely descriptive materials must learn to look at legal material in a new light, to explore different perspectives and approaches.

Perhaps surprisingly, it is not always easy to use the computer to analyse detailed legal rules or their application. So often such analysis depends on the careful use of language

and the computer tends to dilute the impact of the written word. It is easy to lose the detail and subtle nuances of language. The tendency is to become involved in clicking that mouse rather than musing over passages of text. The computer screen does not adapt well to long screeds of text. It is not as easy to read from a computer screen as it is from a piece of paper where shades of paper, print and distance can be more easily adjusted to suit the eye.

The first generation of computer assisted learning materials brought a barrage of criticism against the multiple choice interactions upon which the programs largely relied. They were too simplistic, too mechanical, they relied on recognition rather than understanding and could do little more than test knowledge rather than contribute to learning. Things have moved on. There is now a greater range of multiple choice interaction which has helped to address in some measure these criticisms.

The modified essay questions have been put forward to address the limits of the multiple choice questions. Here students must insert a free form response which they must self-assess against a sample or model answer. There still remains the danger that the student will insert any nonsense in order to access the answer, rather than spend time and care formulating a reasoned response. There is evidence that these types of interaction are disliked by students, making the likelihood of them ducking the question more probable.

The ability to give feedback is of great value. The IOLIS program allows for free-form feedback. It is not yet possible to tailor the feedback to the individual student and there is a danger that queries prompted by a given response will remain unexplored. Authors can try and anticipate

and deal with likely areas of difficulty but screen space is limited. It has been suggested that students should be encouraged to integrate the computer with other modes of learning and take their unanswered queries to their teacher via e-mail or on paper using the scrap book facility.

The ability of the computer to convey knowledge-based information is proven. It can thus, as with any subject, present the established theories of skills development as well any book. However, much skills development is based upon learning by doing. It looks to Kolb's learning model of experiential learning, whereby concrete learning experiences, provided usually through role play or observation, are followed by reflection on those experiences to generate ideas, concepts and theories to guide and assist the learner in the most effective development of their individual skills. These ideas, concepts and theories can then be tested through further concrete learning experiences and so the cycle of learning turns again to hopefully improved performance.

There is no doubt that the IOLIS program marks the emergence of the second generation of computer assisted learning in legal education in the UK.

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