

es, it is most helpful for students to be exposed to something of the practice of law; to consider how theory, doctrine and practice connect; and to encounter a practical, professional perspective on the subject. In advanced classes, the enthusiasm of the teaching practitioner may be especially valuable in maintaining student interest. It is also in advanced courses in which a number of the practical advantages of adjuncts are most striking: the offering of a broader range of course offerings, the need for providing a connection to the practising bar and assistance with placements. Similarly, in these courses, some of the advantages offered by full-time faculty are less important, including the broad perspective and the general introduction of legal doctrine and theory.

TEACHING METHODS & MEDIA

Design-a-court: an introductory socio-legal assessment exercise

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9 *Legal Educ Rev* 2, 1998, pp 193–212

First-year law has always been a challenge for both students and teachers. Both groups have high expectations of what can be achieved in an introductory law subject. An unsatisfactory, or unbalanced, introduction to law can lead to some of the disturbing learning pathologies that characterise some first year students' experiences of law school.

In their rush to become discipline literate, for example, some students undergo a form of conversion experience. The result is high achieving students with little motivation for reflexive thought. More commonly, though, students fall prey to a second pathology. They are so intimidated or bored in their first year that they lose confidence and/or give up intellectual engagement with the subject matter.

One attempt to overcome the problems of this unfortunate start is to introduce students to law as a complex culture in its own right. This approach integrates the acquisition of factual knowledge with the development of skills under the rubric of a theory of law as culture. It underscores the design of La Trobe University's first year Legal Studies introductory subject, *Law and Society*, and its LLB introductory subject, *Legal Skills in Context*. Both subjects aim to equip students to evaluate critically the role, nature and operation of law in Australian society, to reflect on their own socialisation into legal culture and to identify the dynamic relationship between law and legal institutions and the impact of political, social and economic developments on them. The approach attempts to promote students' capacity to look at law from the informed position of 'insider' while preserving the critical eye of the 'outsider' toward legal practices and institutions.

The subject has two distinct components. In the first six weeks the focus is on investigating the language and ritual of law. Throughout this component the teaching emphasis is on drawing parallels between the strangeness of law with the 'strangeness' experienced by many students. The second component introduces students to more traditional legal skills such as legal reasoning and problem solving.

One of two pieces of assessment is a 2,000 word 'Design-a-Court' assignment piloted in 1998. The assignment constituted 50 per cent of the marks for the subject. The objectives of the assessment task were to learn to 1) do a literature review; 2) conduct their own empirical testing of the ideas in the literature; and 3) apply their own and others' insights on the topic to create their own model court.

The main aim of first part of the assignment was to help students learn how to undertake a literature review. The assignment explained that this is a

generic skill which underlies all scholarly enterprise. The second part introduced students to the possibilities of empirical research. It required them to attend at least one court and reflect on how their own observations of the architecture, layout and interior design of the court, support, qualify or refute the ideas they canvassed in the literature they reviewed. The final section of the assignment required the students creatively to apply the insights they gained through their reading and observation. The aim of this section was to encourage students to apply higher order skills, such as synthesis. Students were asked to either sketch, or provide a design brief, describing their 'ideal' court. The most important feature of the assignment is that it is directly related to both the substantive and skills based objectives of the subject. (*Editor's note: a copy of the assignment as issued to students is included with the article.*)

Although the considered view of the teaching staff, based on discussions with their students, was that the assignment was not easy, the vast majority of the students demonstrated a conscious effort to grapple with both the substantive and skills-development objectives of the assignment. However, the assignments also exhibited evidence of the perennial complaint of university teachers: that students tend to be more comfortable with description than analysis and critique.

Design-a-court was devised as a developmental exercise. By completing the required task students were expected to acquire new insights and learn new skills. There are strong grounds for concluding that the assignment fulfilled at least some of these ambitions. The challenge for introductory subjects is to devise assessment exercises which work at a number of levels. 'Design-a-court' is an example of assessment led teaching and learning innovation. The assignment is part of an over-all pedagogical strategy which introduces students to the discipline from the perspective of 'law as culture'.