Innovation In Legal Education: SALeW As A Non-Law Students' Tool For Legal Writing

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Abstract: In Malaysian Universities, certain courses, require students to take up law subjects as one of the requirements to complete the course. In law classes for non-law students, legal writing starts when students are required to answer law questions. Legal writing is a huge problem to non-law students as they do not know where to start and what to write. To improve the writing process of answering law questions students are required to know the format of answering the questions. A study is carried out to find a new way to help non-law students who undertake law subjects to answer law questions properly. The study developed a smartphone application that can guide the students throughout the writing process. The application is called Smartphone Assisted Legal Writing (SALeW).

Index Terms: legal writing, non-law students, pedagogy, SALeW, smartphone assisted, smartphone

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1 INTRODUCTION

In Malaysian Universities, certain courses require students to take up law papers as one of the requirements to complete the course. Example of courses are Bachelor of Business Administration, Bachelor of Accountancy and Bachelor in Sports and Recreation. These non-law students may not have difficulties learning the subject, but they may find difficulties when answering law questions as students are expected to answer question in form of an essay. Legal writing starts when students are required to answer law questions. Answering law questions is a huge problem to non-law students as they do not know where to start and what to write. For them, writing is perceived as a daunting task in law classes. To improve the writing process of answering law questions students are required to know the format of answering the questions. A study is carried out in order to find a new way to help non-law students who undertake law papers to answer law questions properly. Students are known to be very attached to their handphones, thus this study introduced a new way of learning law which is by using phones. The study developed a smartphone application that is able to guide the students throughout the writing process. It is called SALeW (Smartphone Assisted Legal Writing). SALeW is an application that the students need to store in their phone and they can practice answering law question properly by using this application. The purpose of creating SALeW is to ensure that students can practice writing according to the format required.

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2 TRADITIONAL TEACHING PEDAGOGY

Pedagogy is a technique used to teach or approaches used in teaching. It is a strategy behind the teaching methodology. Pedagogy is important to achieve the outcome of teaching. Traditional pedagogy involves chalk and talk. The teacher gives information and the student is expected to absorb the information. This method has been used for decades all around the globe and it is considered the best educational approach in all institutions of teaching and learning. However, this approach leads to dependent students. The students become dependent upon the teacher who directs them in the process of teaching and learning. Traditional pedagogy limits the student's creativity in the learning process. Mbodila & Muhandji (2012) had a few reasons for this. First, one-way communication is practised, it makes the student dependent on the teacher as the teacher is considered as a giver on one hand and the students as the receiver on the other hand. All information flows from the teacher to the students. Second, traditional pedagogy requires face to face interaction between teacher and students. Thus, the teacher concentrates more on the theoretical aspects and has no time to do practical aspects with the students. Third, traditional pedagogy is considered boring. This is because no activities are conducted during class. Students are expected to listen to their teachers. Fourth, students will be less creative. Students are expected to produce what the teachers has taught them. The result of enforcing traditional pedagogy is that students become passive learner. They expect to get everything from the teachers. They do not have any initiative to learn on their own. Yelland (2001) argued that this traditional pedagogy is not suitable to prepare students for today's workplace as today's working environment expect students to be more independent and productive. It seems that traditional pedagogy is not able to prepare students for life in 21st century. According to Briggs (2003), traditional teaching methods such as lectures and tutorials do not provide support for the development of skills required for higher level learning process. In addition, Carnell (2005) argued that students want learning to be enjoyable and encouraging. Teachers need to trust students and let them participate in their learning process and give them opportunities to learn with others.

3 TEACHING PEDAGOGY IN THE ERA OF INFORMATION TECHNOLOGY

In the era of information technology, computers have become one of the important tools in the process of teaching and learning. The use of computer gives benefits to both students and teachers. On part of the students, computer usage leads to learning independence. Computers, enable students to seek information by themselves and it will lessen the amount of instruction given to them by the teachers. On part of the teachers, it gives the opportunity to help those students with particular needs. This new technology can also help teachers to enhance their pedagogy practice and they can also assist students in their learning process. The advantages of having ICT in the process of teaching and learning according to Mbodila & Muhandji (2012) are as follows: it can provide information to students and help them in completing their tasks; ICT provides for self-regulated study whereby students can learn at their own pace; and ICT also provides for problem-based learning and enable the students to be independent and have a critical thinking. Higher education system around the globe is undergoing a paradigm shift due to changes in student's needs, societal expectations and teaching advancement (Lu Huong Ying, 2013). Traditional approach of teaching by using textbooks and lectures is considered as passive teaching because the teachers are the centre of teaching. The adoption of technology in teaching has removed the boundaries whereby learning and teaching now is student. Computer assisted learning, web learning, e-learning and digital training are the current technology adopted education system that will transform the learning environment into the one that is learner centred. Students nowadays prefer to use technology in the process of learning (Lu Huong Ying, 2013) because technology enables students to involve directly in the process of teaching and learning. Technology Integration also influences the way teachers teach and the way students learn. Owing to this, Howard (2007) stated that educators need to develop new competencies and pedagogies to engage in the changing population.

4 INNOVATION IN LEGAL EDUCATION

4.1 History of Legal Education

The conventional pedagogy of learning law is through reading, memorizing and summarizing the law (LeDain,1961). This has been the method used in law classes for ages. Later, Christopher Columbus Longdell from Harvard University pioneer a new method in legal education which is known as the case method (Perlman, 2015). This method requires students to know how to extract and synthesize the law from cases and be able to apply the law to new sets of facts (LeDain,1961). However in the late 20th century, shortcomings of case method was identified. Another important methods required from law students is detected which is legal writing and research. Now, it is established that the core competence needed for law students are the ability to write a good legal arguments. Thus, the learning process should maximize the opportunity of students to practice writing by using the relevant method. Realisning this matter, it is vital for law teachers to innovate in order to provide a condusive environment for students to write.

4.2 Innovation in Teaching and Learning

Innovation has changed the way in which higher education have operated during the past two decades. Students of the twenty first century are looking for education experience that are different from those in the twentieth century. (Christensen, Horn & Johnson, 2011). The existence of innovative teaching nowadays is due to the presence of technology which drives innovation among teachers. These innovative ideas begin with recognition of problems or need and development of activities designed to create innovation to solve the problem or need (Rogers, 2003). By having technology in place, the technology has been best leverage to improve learning and able to widen access to education. As a result, innovation in the era of technology has changed the way in which higher education has operated. One of the technologies which has been widely used to improve teaching and learning is smartphone. Smartphone promotes mobile learning. The widespread of mobile devices and the increase in internet services has made it possible for mobile learning to be adopted in todays society. Mobile learning has become popular among students as it offers ubiquitous and time independent which means students can learn anywhere and at any time (Salomani, 2013). Alongside the smartphone, come the world of "apps". "Apps" is a small program stored in the smartphone which can make phone even more fun and useful (Whitfield, 2014). n the western countries, the interest and innovation of using mobile technologies has started as early as 2005 (Kukulskaa-Hume & Traxler, 2005). Previous studies conducted in this field confirmed the benefits of mobile learning and the benefits have been documented (Alrasheedi & Capretz, 2015). Hence, it is timely for universities in Malaysia to venture into mobile learning since mobile learning promotes learning flexibility. The study chooses smartphone as a tool for writing as it seems that university students nowadays are inseparable from their smartphones. Smartphone has become their main source of information (Wong, 2011). Ownership of smartphones among students are also increasing and they are using them to enhance their learning (Woodcock, 2012; Dixit et. al., 2011). In the era of Information Communication and Technology (ICT), integration of technology with old school methods of teaching should be promoted as it may improve students' writing skill. According to Farley *et.al.* (2015), students actively using mobile technologies such as smartphones to support their learning and they favour this method either in class or at a distance. Suki & Suki (2007) found that the usage of smartphones for learning purposes should be encouraged as the students will gain a higher level of knowledge, become more socially involve and have an extensive networking outside the classroom. These attitudes will benefit the students later on when they venture into working environment.

5 SMARTPHONE ASSISTED LEGAL WRITING - SALeW

In this study, a smartphone application or "apps" has been developed with the intention to help the non-law students to answer law question perfectly and come out with a good legal writing. The smartphone application is called SALeW. When answering law questions, students are required to follow the certain format. If the students are able to follow this format of writing, students would be able to get good grades for their answers. SALeW is developed in such a way that students are guided to follow the format of writing. The format consists of introduction/ issue, legal principles, cases, application and conclusion. SALeW is an application which is quite handy

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which enable the students to practice legal writing almost everywhere. This study is an important contribution to the area of innovative teaching and learning law as students are guided with the application installed in their own smartphones and they are able to use this application inside or outside the classroom. The smartphone application contains two parts. During the first part, the format of writing is identified. In order to come out with good legal writing or answer law questions correctly, the students need to follow the format of writing which includes issue, legal principles, case (if any), application and conclusion. The students need to fill in all the relevant information. If the students do not follow this format, they will not get good marks for their writing. Figure 1 shows the screenshots of process of SALeW which consists of 6 stages. In stage 1, students need to key in their 'Profile'. Then they need to tap the screen to start. In stage 2, students need to key in the 'Question Lable' for example: Law 416, Exam Dec. 2017, Question 1. Then the students need to press 'Next' button to go to stage 3. Stage 3 requires the student to fill in the 'Issue' column. Students need to type in the issue involves in the question. Then the students need to press 'Next' to go to stage 4. To write legal principle, students need to tap 'Add Legal Principle' button. When the button is tapped, the application will be directed to stage 4. At this stage, students need to key in the relevant legal principle, application for legal principle, case (if any), application for case (if any). Then students need to tap 'Add/Edit Legal Principles' button to add more legal principles. After the students are finished with the legal principles, they need to tap 'Next' button whereby students will be directed to 'Conclusion' page whicn is stage 5. Students then need to key in the conclusion. At this point, first part of the application is completed. The second part of SALeW involves processing of the information provided by the students. After the information is processed, SALeW will generate a complete answer in form of an essay as illustrated in stage 6. This complete answer can be kept by the students for their own use when preparing for the exam. This complete answer can also be printed and submitted to the lecturer for the answer to be graded. Submitting the answer require the students to tap 'Send Email' button at the bottom of the page. The answer will then be submitted to the lecturer's email. Clearly, this application promotes independent study among the students aided by smartphone. It is timely to have this smartphone application because students are well acquainted with smartphone and this habit can be used for their own benefit. The smartphone application is designed in such a way that students will be able to practise answering law question anywhere and at any time. The steps required in the smartphone application is the basis for the student to master legal writing.

Figure 1: Screenshots of process of SALe

Stage 1

Stage 2

Stage 3

Stage 4

Stage 5

Stage 6
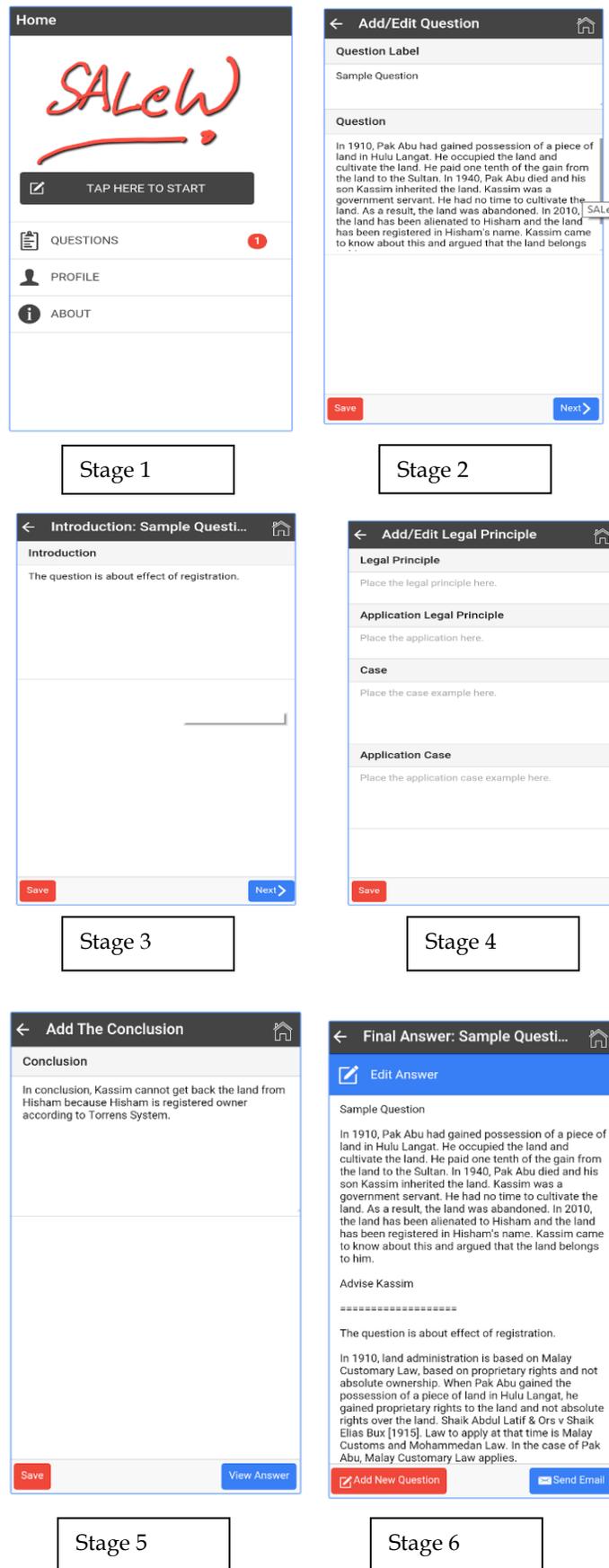
6 CONCLUSION

SALeW has been developed to guide students especially non-law students in answering law questions. By answering law questions, these students actually involve in legal writing. The use of SALeW enable the students to practice legal writing on their own. In order to use SALeW, students need to install the application in their smartphones. The students then can use SALeW anywhere and at any time to practise answering law questions as it will guide the students as to the steps required. By having SALeW, it will promote independent study which is in line with the 2015-2025 Malaysian Education Blueprint – Higher Education (PPPM-PT) which aims *inter alia* to produce holistic valuable graduates. Independent study is important to inculcate values among students which later can be reinforced and incorporated in the working environment upon graduation. Furthermore, this study also illustrates the support for blended learning program which is implemented in most universities in Malaysia.

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