# LEGAL EDUCATION AND PEDAGOGY IN THE VIRTUAL ENVIRONMENT: EXPERIENCES AND CHALLENGES

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## ABSTRACT

*Legal education is one of the most dynamic fields as it deals with varied interest groups and provides an array of programs including undergraduate, graduate, post-graduate and doctoral programs along with various courses and it is this diversity that raises very pertinent questions regarding the pedagogy to be employed. The researcher in this paper shall address these pedagogical questions with respect to the evolution of legal education and learning in India drawing parallels from across the world. The need for convergence of ideas regarding the teaching, understanding and learning of law between the faculties and students arise as knowledge sharing in today's world is not traditional anymore. The modern legal education focuses on exchange of information from all sides especially with the advent of Internet and the shift to virtual classrooms.*

*In this paper, the researcher will analyze this need to shift virtual classrooms and examine various methods of teaching with special focus on the "netgen". The researcher shall also delve into the issue of change in the approaches of various law schools in India and in the world where online teaching is a mandated choice because of the pandemic due to the spread of the COVID-19 infection, leading to a lockdown in most of the countries. This*

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*shift from physical space to virtual space has raised concerns for the legal fraternity, however, for the educational institutions; the UGC and BCI in India have suggested certain changes to tackle such extraordinary circumstances. Yet, in such stressful times for the faculties, the students and even the staff, the challenges are manifold ranging from infrastructural limitations to connectivity to the transitions in the pedagogy. The researcher shall address these issues along with focusing on aligning the same with the primary objective of preparing the students not only for career prospects but also to cope with the diverse work environments available in the 'legal service industry'. Furthermore, the merits of online teaching and the need for educational continuity shall also be highlighted while providing some pedagogicalsuggestions for the faculties. The aim of this research is to acknowledge and concede with the transition in legal education from physical classrooms to online classrooms and successfully use the different learning models available for both the faculties and the students. In the end, the researcher shall focus on best practices regarding the use of technology to welcome new techniques while ensuring fulfillment of outcome based learning.*

***Keywords:*** *legal education, pedagogy, educational institutions*

## I.    INTRODUCTION

Legal education is one of the most dynamic fields as it deals with varied interest groups and provides an array of programs including undergraduate, graduate, post-graduate and doctoral programs along with various courses and it is this diversity that raises very pertinent questions regarding the pedagogy to be employed. The researcher in this paper shall address these pedagogical questions with respect to the evolution of legal education and learning in India drawing parallels from across the world. The need for convergence of ideas regarding the teaching, understanding and learning of law between the faculties and students arise as knowledge sharing in today's world is not traditional anymore. The modern legal education focuses on exchange of information from all sides especially with the advent of Internet and the shift to virtual classrooms.

In this paper, the researcher will analyze this need to shift virtual classrooms and examine various methods of teaching with special focus on the "netgen"[1] as they have grown up with an intuitive ability to cope with changes and new technologies, therefore, presenting novel challenges which has never been encountered by the higher education system.[2] The researcher shall also delve into the issue of change in the approaches of various law schools in India and in the world where online teaching is a mandated choice because of the pandemic due to the spread of the COVID-19 infection, leading to a lockdown in most of the countries. This shift from physical space to virtual space has raised concerns for the legal fraternity, however, for the educational institutions; the UGC and BCI in India have suggested certain changes to tackle such extraordinary circumstances. Yet, in such stressful times for the faculties, the students and even the staff, the challenges are manifold ranging from infrastructural limitations to connectivity to the transitions in the pedagogy. The researcher shall address these issues along with focusing on aligning the same with the primary objective of preparing the students not only for career prospects but also to cope with the diverse work environments available in the 'legal service industry'. Furthermore, the merits of online teaching and the need for educational continuity shall also be highlighted while providing some pedagogical suggestions for the faculties. The aim of this research is to acknowledge and concede with the transition in legal education from physical classrooms to online classrooms and successfully use the different learning models available for both the faculties and the students. In the end, the researcher shall focus on best practices regarding the use of technology to welcome new techniques while ensuring fulfilment of outcome based learning.

## II.  EVOLUTION OF LEGAL EDUCATION AND PEDAGOGY

Legal education always runs hand in hand with the development of law itself. The objectives of legal education are manifold including exploring the vacuum areas of law along with inculcating skills required for practice of law

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[1] K. Nelson, S. Kift & W. Harper, First portal in a storm: a virtual space for transition students, in Ascilite 2005: Balance, Fidelity, Mobility: Maintaining the Momentum? QUT, Brisbane (2005).

[2] D. Butler, ICT in legal education: a challenge but an opportunity, in Enhancing Higher Education, Theory and Scholarship, Proceedings of the 30th HERDSA Annual Conference, Adelaide, 89 (2007).

amongst the students. Moreover, legal education is considered of paramount importance in a lawyer's life as it provides an in-depth and scholarly learning of innumerable branches of law contributing in the growth and evolution of rules and doctrines. Students are also provided a platform to examine and analyze other legal systems and adopt a comparative approach which is an important aspect in case and argument building.[3]

Before the establishment of dedicated law schools, offices of practicing advocates were the only place where conversations, learning and 'education' about law took place. The practice of law has always been similar to an apprenticeship or 'on the job' training. Eventually the need was felt to shift the practice of law from 'on the job' training to a system similar to tertiary education system which was more classrooms based rather than field learning.[4] The primary reason for this transition was the lack of continuous teaching-learning process and no established manner of education. Moreover, the field of law consists of variety of principles which requires expertise for further application and it is therefore desirable that there is constant facility and certainty in learning.[5] The establishment of law schools initially did not bring much change as the law was still taught by practitioners in the evenings mainly to the students who were themselves enrolled for a part time course and were themselves working during the day.[6] For example one of the most respectable and oldest law schools today – Harvard Law School founded in 1817[7], was operational for many years with only two faculties.[8]

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[3] Aine Hyland & Shane Kilcommins, Signature Pedagogies and Legal Education in Universities: Epistemological and Pedagogical Concerns with Langdellian Case Method, in Teaching In Higher Educ., 14, 29 (2009).

[4] A. Ferguson & E. Lee, Desperately Seeking ... Relevant Assessment? A Case Study on the Potential for Using Online Simulated Group Based Learning to Create Sustainable Assessment Practices, 22 (1) Legal Education Review, 121 (2012).

[5] Christopher Columbus Langdell, Harvard Celebration Speeches, 3 Law Q. Rev., 123, 124 (1887).

[6] C. Collins & S. Webbey, Collaboration: a crucible for cultivating common understanding in professional legal education, in The Calling of Law: the pivotal role of vocational legal education, Emerging Legal Education Series (Ashgate, F. Westwood & K. Barton 2014).

[7] Arthur L. Goodhart, The Law at Harvard, 80 Harv. L. Rev., 1818, 1826 (1967).

[8] Michael von der Linn, Harvard Law School's Promotional Literature, 1829-1848, 13, Green Bag, 427 (2010).

The most important concern at this stage the pedagogy to be used by the law schools in their 'classroom teaching' which has been a journey of various permutations and combinations. One such method which has been highly prominent and is being followed till date was introduced in the curriculum is the "Socratic method" where students hone their skill set towards developing a legal aptitude and reasoning also known as "thinking like a lawyer" method.[9] By way of this method, students are expected to absorb legal knowledge for a particular subject matter and then act in a courtroom set up relying on various steps similar to a courtroom experience such as drafting and pleading. The role of professors during the implementation of this method is shaping the experience of the students by various interactions to the extent of even "grilling" them at times. This gives the students a full-fledged understanding of interactions with judges and other parties during a case. This method has eventually become one of the most important aspects of law school experience which is known as "Moot Court" and is a part of the curriculum in the initial years of law school where students are required to work on a fictional case from the beginning, prepare arguments from different sides of the case and even present them. The Socratic method along with mooting is a way of learning which is highly "constructivist"[10] as there is learning through reflection rather than the traditional ways of teaching which also includes a lot of reading and so called 'learning by heart'. Constructivism helps students learn through experience and use the same experience to construct meaning and implement in future experiences. Another method that took prominence during the late 19th century was known as the "casebook" method[11], created by Mr. Christopher Columbus Langdell from US. This method similar to the Socratic Method; however, there is high reliance on understanding and analyzing the authorities which already exist such as case laws or opinions of judges or jurists and then eventually examining their application to different factual scenarios.[12]

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[9] Supra note 7.

[10] Dr. Jay Prakash Yadav, Legal Education in the Era of Information and Communication Technology: An Analysis, JLJ (2016).

[11] Supra note 4.

[12] Ruta K. Stropus, Mend It, Bend It, and Extend It: The Fate of Traditional Law School Methodology in the 21st Century, 27 Loy. U. Chi. L.J., 449, 453-54 (1996).

The growth of law schools worldwide can be attributed to many factors; one of them being the transition from part-time faculties to full-time faculties which led to law schools becoming the sole and most effective gateway into the profession and achieving success.[13] The evolution and establishment of law schools has been a constant process and legal education like the legal fraternity has tried to keep pace with the new developments especially the technological advances. The advent of internet is one such technological tool that has affected the growth of legal environment including legal education. Prestigious law schools such as Harvard and MIT consider that "the Internet is set to enable the single biggest change in education since the printing press."[14] It was, therefore, significantly important that administrators and faculties undertake actions that commensurate with what might be expected out of this rise in internet and various technologies surrounding it.[15] Internet led to the development and rise of various popular applications such as social media platforms including Facebook, Instagram and other network platforms such as LinkedIn. This consequently led to the growth and access to online education methods such as Massive Open Online Courses (MOOCs)[16] and various law schools offering distance education courses and programs along with certification of some form.

## III.  SHIFT TO VIRTUAL CLASSROOMS

Distance Education is defined as "any course in which students are separated from the faculty member or each other and the instruction involves the use of technology to support regular and substantive interactions among the students and between the students and the faculty members."[17] It is also

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[13] E. Lee & A. Ferguson, The development of the virtual educational space: how transactional online teaching can prepare today's law graduates for today's virtual age, European Journal of Law and Technology, 6 (1) (2015).

[14] John E. Chubb & Terry M. Moe, Higher Education's Online Revolution, Wall St. J., 2012 at A17.

[15] Michele R. Pistone & John J. Hoeffner, No Path But One: Law School Survival in an Age of Disruptive Technology, 59, Villanova University School of Law, Public Law and Legal Theory, Working Paper No. 2014- 1007, The Wayne Law Review, 193 (2013).

[16] D. Glance, M. Forsey & M. Riley, The pedagogical foundations of massive open online courses, First Monday, 18 (5), (2003), http://firstmonday.org/ojs/index.php/fm/article/view/4350/3673.

[17] A Guide To ABA Approved Distance Education, Distance Education, https://www.americanbar.org/groups/legal_education/resources/distance_education/ (last visited on 30th June, 2020).

known as online learning which involves various techniques such as live lectures or pre-recorded lectures or a combination of both. These techniques are respectively known as synchronous method, asynchronous method and flipping the classroom method which use various elements of ICT as well as the Socratic method to ensure interactions between faculties and students.[18] The aim of online learning is to provide students with an identical experience as that of an actual classroom including the subtle feedback that faculties tend to receive during live classroom teaching and discussion. The framework of online teaching generally consists of three core elements: social presence, cognitive presence and teaching presence and social presence involves the ability of the students to display their individual characteristics such as social or emotional; cognitive presence involves the ability of students to be able to engage in a process of discussion and reflection and teaching presence involves the pedagogy employed by the faculties for instruction and discussion in order to facilitate students.[19] These elements are vital as they are the same elements which are used in a classroom teaching including other technology-based instruction techniques such as PowerPoint presentations or smart screens which would definitely be unrecognizable by Socrates today.

Online education involves mainly two kinds of delivery models: Synchronous and Asynchronous model. The synchronous model gives an experience closer to a real time classroom experience as all the participants including the students and the faculty participate together at a particular time from their own spaces.[20] This can be done using various platforms such as Skype, Google Hangouts or the most recently developed softwares such as Zoom or Microsoft Teams. These platforms provide faculties and students to undertake interactions, share screens, present slides, assessment and evaluation, chat windows and multiple breakout rooms for small groups.

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[18] Michelle Pistone, Law Schools and Technology: Where We Are and Where We Are Heading, Villanova University School of Law Public Law and Legal Theory Working Paper No. 2015-1006, Journal of Legal Education (2015).

[19] Kristoffer Greaves & Julianne Lynch , Is The Lecturer In The Room? A Study Of Student Satisfaction With Online Discussions In Practical Legal Training, Legal Education Review (2011).

[20] Clayton Christensen et al., An Introduction to the Theory of Hybrids, Clayton Christensen Institute for Disruptive Innovation (May 2013), http://www.christenseninstitute.org/publications/hybrids/.

This model allows participants to connect using various audio and visual facilities making the transition from offline to online class easier both for the students and the faculties.[21] The foremost important factor is the availability of a stable internet connection at everybody's end. Whereas, the asynchronous model is similar to listening to a YouTube video or a podcast, where the participants are not interacting in real time and can be accessed by the students at anytime. It is similar to a pre-recorded lecture which is shared with the participants using simple tools such as chat boards or share screen.[22] The biggest advantage of this model is the flexibility that is provides to access the resources as and when it is convenient making it easier for working professionals to follow their educational pursuits beyond a time bound system.[23] Therefore, it is highly suggested that Universities and law schools should invest heavily in ensuring good and stable internet connection along with access to various online sources in order to make their distance education courses have a wider reach.

The shift to distance education has been able to bring the learning community together from all over the globe and provides tremendous opportunities for both the law schools and students as it offers a range of benefits which are as follows:

1.  **Flexibility –** The kind of flexibility provided by online learning cannot be matched with the classroom learning as it provides students to learn at literally anytime they want and anywhere.[24] Also, the control level is higher on part of students as they can revisit or go back as and when they like in order to comprehend better giving them to learn at their own pace which gets difficult at times in the traditional face to face class as some might be hesitant or unwilling due many reasons.[25]

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[21] Aaron Saiger, Education in Virtual Environments, in The Oxford Handbook of U.S. Education Law (Kristine Bowman, Oxford University Press forthcoming 2020).

[22] Ken Randall, Distance Legal Education and Academic Freedom, (April, 2018) https://www.insidehighered.com/digitallearning/views/2018/04/18/restricting-online-education-law-school-limits- academic-freedom.

[23] Supra Note 3.

[24] H. Selim, Critical success factors for e-learning acceptance: confirmatory factor models, Computers & Education, 49, 396–413 (2007).

[25] J. Ireland, Blended learning in intellectual property: The best of both worlds, Legal Education Review, 18, 139– 162 (2008).

2.  **Costs –** Online lectures help in reduction of costs for law schools as offering a distance education program requires fewer infrastructure capacities in terms of commute or housing or even classrooms.[26] The costs are also reduced for students as they are required to pay less fees and do not have to undertake any hassle of travel or books. The access to online sources and material provided during the course along with advanced communication and technological facilities are the only expenses to be borne by the law schools.

3.  **Improved access –** Distance education programs reach out to students based in remote locations that are not required to geographically proximate to the campus and can pursue other courses or even work/intern while pursing one particular online course. The only facility required is access to internet and communication device such as a laptop or even a mobile.[27] Furthermore, it has an obvious advantage of tendering occasions to allow repeated learning and revision for students especially in the asynchronous model of online teaching.

4.  **Student-driven learning –** The benefit that online classes offer with respect to learning 'at your own pace' helps students learn in an environment which is free from any disturbance and they break concepts or progress at their own speed in a private and safe setting free from any judgment or pressure.[28]

The introduction of online or distance education programs in India can be accredited to the University Grants Commission (UGC) that brought a reform in the year 2018 where it laid down a list of notified Online courses for different fields of education and the participants were provided certificates and/or degrees. Taking this reform ahead, Universities even offer full- fledged courses in their regular operation and degrees are conferred

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[26] Andrew Miller, 4 Lessons We Can Learn from the 'Failure' of MOOCs, Edutopia (2014),
 http://www.edutopia.org/blog/4-lessons-from-failure-of-moocs-andrew-miller.
[27] Max Huffman, *Online* Learning Grows Up—And Heads to Law School, Robert H. McKinney School of Law Legal Studies Research Paper No. 43 (2015).
[28] F. Martin, Teaching legal problem solving: A problem-based learning approach combined with a computerised generic problem, Legal Education Review, 14(1), 77–92 (2003).

after due assessment and examination of the students.[29] The UGC has laid down the four quadrants which shall be employed during online courses which are: (i) e- tutorial containing various audio-visual aids; (ii) e-content containing online resources such as access to libraries or e-books or video which assist in interactive simulations; (iii) Web resources containing case studies, links to various resources available on the internet such as articles or commentaries, and (iv) assessment components containing assessment elements such as quizzes, assignments, problem solving, MCQs, etc.[30]

## IV.   PEDAGOGICAL CHANGES IN TIMES OF COVID – 19

The spread of the COVID-19 viral pandemic in March 2020 led to a strict lockdown in most nations forcing schools and colleges to shut their buildings and switch to online modes to ensure continuing academic discourse. This switch from offline face-to-face lectures to online lectures raised concerns for the Universities with respect to administrative requirements such as continuing the semester and even for the faculties with respect to the pedagogy to be employed during online lectures.[31] Keeping the said concerns and requirement in mind, Universities and various law schools should undertake the following steps to ensure smooth conduct of their semesters:

a.   **Platforms and their orientation:** Universities should subscribe to video conferencing platforms such as Zoom or Microsoft teams or Webex and faculties should schedule live lectures regularly using one platform, the invite of which should be shared with students preferably via emails. The University should provide training to the faculties with respect to these platforms as some faculties may not be equipped with use of these platforms or may not be aware of the features of different platforms. Hence, appropriate training for faculties and even students is of utmost importance to conduct a lecture smoothly.

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[29] Papri Chanda, UGC releases On-line learning courses for students & teachers to utilize lockdown time productively, (March, 2020), https://www.timesnownews.com/education/article/ugc-releases-on-line-learning- courses-for-students-teachers-to-utilize-lockdown-time-productively/569597 (last visited on 30th June, 2020).

[30] Online Learning, https://deb.ugc.ac.in/DEB/OnlineLearning (last visited on 30th June, 2020)

[31] Seth C. Oranburg, *Distance* Education in the Time of Coronavirus: Quick and Easy Strategies for Professors, Duquesne University School of Law Research Paper, No. 2 (2020).

b.  **Communication and Briefing:** Online lectures require higher faculty intervention in terms of modeling behavior for themselves and the students as currently everyone is in their own spaces trying to learn. Thus, communication becomes highly integral for effective delivery and learning. Faculties should engage with students as much as possible making it a positive experience for them irrespective of the delivery model. It can be difficult for faculties at times as most students may keep their videos off, which makes is more important to establish communication channels which allows students to be in a congenial atmosphere. Faculties should also brief the students of their expectations and provide roadmap with respect to the course outcomes as well as behaviour as it can get difficult for a faculty to manage a class where multiple students are speaking together in an online class and non-verbal signals cannot be used. Faculties should also build the pace and intensity of lectures eventually allowing themselves as well as the students to equip with this transition.

c.  **Discussion boards:** Discussion is one of the key aspects of law school learning as it helps law students not only to develop a deeper understanding of a particular topic but also helps students develop the skill to listen to other diverse opinions[32] which maybe contrary to them and then respond to the same using appropriate articulation and reflection. This is also significant in online learning and it can be done using various techniques[33] such as collaborations or small breakout groups which allows students to extend their knowledge through discussions and presents immediate feedback for the faculty regarding the understanding and learning experience of the students.

d.  **Evaluation and tests:** Evaluation is of significance in every course in order to assess the understating and consequential application of concepts by the students in order to grade them. In an online format,

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[32] Stephen D. Brookfield & Stephen Presskill, Discussion as a Way of Teaching: Tools and Techniques for Democratic Classrooms, 5-7 (1999).
[33] David Hofmeister & Matt Thomas, Using Virtual Learning Modules to Enhance and Assess Students' Critical Thinking and Writing Schools, Assessing Online Learning, 72 (Patricia Comeauz, 2005).

evaluation can be done using different formats such as multiple choice questions, short question-answers, quizzes both formative and summative, open book tests or even problem solving test. The format depends on the nature of learning involved and the level of competency being tested at times also providing self assessment opportunities both for the students and the faculties. Students can also be asked to maintain journal regularly in order to reflect on the content which is being taught in the future and activate their learning capabilities as writing is considered to enhance recalling and comprehension capacities.

e. **Feedback:** This is a component which helps faculties in understanding their teaching and reaching out capabilities because in an online lecture it is tricky for a faculty to focus on each and every student as easily as it can be done in a traditional face-to-face class. Online lectures involve multitude of factors such as delivery model, content, presentations, engagement, assessment, etc. Therefore, it becomes pertinent that faculty receives feedback for online lectures to ensure there is not only appropriate dissemination of knowledge but also comprehension of various concepts. Faculties should create opportunities to amalgamate feedback from students in order to assess the success of the course and this can be done in different ways such as quizzes or providing a scope for overall student interaction or it can be done by using help from administrative staff orother faculties. Last but not the least, faculties can also use emails to gather feedback for an online course which can also create records for administrative purposes as well.

During a distance learning course, collaborative learning, where students come together, present their ideas on various concepts and learn from each other[34] definitely contributes to better understanding of the subject. In this process, the faculty is merely a meddler or a guide where he or she ignites a spark on a particular topic and students in small groups work as a team

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[34] Michele Pistone & Warren Binford, Effective Teaching With Technology to Enhance Legal Education, in Building on Best Practices: Reflections, Transforming Legal Education in a Changing World (Deborah Maranville et al. 2015).

either to solve a particular legal problem or research and draft documents or at times even act as opposing counsels representing different sides on a legal issue.[35] There is a 360 degree shift from a faculty centered teaching to student centered learning where the role of a faculty is to move away from the centre stage and shift the focal point to the students. This method of teaching – learning has proved to be more successful than other because in the current times where everybody is forced to be under a lockdown, this process gives the students a feeling of togetherness, keeps them involved as well as active and provides immense scope to interact with other students and even the faculty. At this juncture, during the lockdown, as everyone is undergoing stressful times, students need enormous support and guidance from their faculties even if there are some portions which are not covered fully or perfectly.

India, like the whole world, is undergoing difficult times which were never accounted for and therefore various organizations are assisting the Centre and the State Government to cope with these uncertain times. Since universities and colleges are predicted to remain shut for a longer duration, the UGC has laid down guidelines to maintain educational endeavors in a manner which is both effective and efficient using different communication technologies. The main concerns surround examinations, plans for coming academic session, facilitating students in their future prospects and most importantly health (both mental and physical) and safety of students, faculties as well as the non-teaching staff. One of the most prominent initiative of UGC is initiation of around ten online courses such as SWAYAM, e-PG Pathshala, National Digital Library, etc both for students and faculties amidst the nationwide lockdown due to the outbreak of the COVID-19 virus which is resourceful not just to ensure productive use of time but also to expand the knowledge base for interested groups. Other bodies such as the Ministry of Human Resources Department (MHRD), the Information and Library Network (INFLIBNET), the Consortium for Educational Communication (CEC) and the Bar Council of India (BCI) have also

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[35] Roberta K. Thyfault & Kathryn Fehrman, Interactive Group Learning in the Legal Writing Classroom: an International Primer on Student Collaboration and Cooperation in Large Classrooms, 3, J. Marshall L.J. 135, 139 (2009).

undertaken initiatives which can be used by different groups such as students, faculties, researchers, etc to broaden their learning experience.[36]

Secondly, both UGC and BCI have emphasized on continuance of the teaching process using both synchronous and asynchronous model on various online platforms such as Webex, YouTube streaming, OERs, Google Meets, etc. There is emphasis being laid down on conducting webinars, discussions and even Faculty Development Programs (FDPs) to enrich the knowledge base of students, faculties and researchers using social media platforms as well. Thirdly, the BCI has suggested completion of examinations for all the Semesters and declaration of results as most colleges had covered around 70% of the syllabus in March 2020. Furthermore, under all circumstances the social distancing norms should be followed by all colleges and Universities and the faculty and staff should be trained with video conferencing platforms to undertake classes smoothly. Along with this, Universities have been recommended to prepare content in e-formats which can be shared with students as well as be uploaded on their websites. Fourthly, for the upcoming semester, it has been recommended that adequate training should be provided to faculty members with different ICT techniques and tools to complete around 25% of the course using online platforms and around 75% using offline mode. The Academic Year of 2020-21 has been suggested to commence from 1st August, 2020 for the students in the current batches and from 1st September, 2020 for the new batches using a six-day week format. The Ph.D and M.Phil students should be given an extension of six months to work on their thesis/dissertation. Besides this, the Universities are required to strengthen the counseling system using the old school mentor-mentee format between students and faculties which should also take place using online modes in order to maintain regular touch with students to ensure that they receive constant guidance and support.[37]

In the end, it cannot be denied that there are some obvious disadvantages with online teaching – learning process such as difficulty in establishing

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[36] Supra note 28.

[37] Guidelines issued by the Bar Council of India with regard to the online Examinations in the light of detailed guidelines for conducting examinations issued by the University Grants Commission (2020).

secure connections between student and faculty or lack of congenial class like environment where students can have conversations and discussions with faculties as well as their batch mates.[38] However, given the unprecedented times, the idea is to ensure that certain activities which guarantee normalcy should be undertaken and education as well as the future prospects of the students should suffer minimal damages.

## V.   SUGGESTIONS AND CONCLUSION

Legal education, as discussed above, requires amalgamation of various factors such as infrastructure, pedagogy, evaluation and feedback which needs to be taken into consideration at all times. Legal education has always tried to keep pace with changing trends and technological developments which led to the introduction of distance education programs which has now become the need of the hour due to the outbreak of the COVID-19 pandemic all over the world. It is an undeniable truth that legal education amidst this is going to suffer and receive a setback like everything else across the globe, however, efforts need to be taken in order to continue the academic discourse and make sure that both the students and the faculties are well equipped with tools to undertake the said pursuits. Before the mandatory shift to online classes due to the current pandemic, law schools had begun their journey to use of technology and internet to undertake various programs and courses which did not require the faculties and students to remain physically present together. It is without a doubt that law professors have restored to this change and welcomed the new approaches long before the current pandemic, where various tools and platforms to provide online education were being employed to yield results in tune with the designated learning outcomes for each course.[39]

The faculties play a significant role in online classes as well by using various delivery models to reinforce their pedagogy to make sure students have the same experience as that of an actual classroom. The foremost job of the faculty during such a transition is to not respond in denial with changes but

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[38] Joseph A. Rosenber, *Confronting Cliches in Online Instruction: Using a Hybrid Model to Teach Lawyering Skills*, 12, SMU Sci. & Tech. L. Rev. 19 (2008).
[39] Supra Note 24.

rather explore the potentials surrounding the said change and keep pace with the millennial generation which is born in the 'digital world' around technology and internet.

The faculties can use the Socratic method during the online classes along with other synchronous, asynchronous and blended techniques for the teaching – learning process.[40]

The faculties are free to be creative with these tools and adapt their content to fully utilize the features of the varied platforms available to conduct online lectures. The faculty should keep in mind that the regular activities of the classroom learning which can be reinstated for online lectures should definitely be applied such as being thorough with the content, not over packing or under packing a class, providing access to resources, discussions and debates, evaluation methods, etc. This helps both the faculties and students in getting a feel of a real time class along with ensuring that complex concepts are being understood simply and confusion is avoided as much as possible. Furthermore, faculties should constantly engage with the students as online classes are less reactive than the traditional face – to – face classes where it is easier to observe students and understand whether the concepts are being cleared or not. Therefore, faculties are free to be innovative and should exploit the features of online delivery platforms for an enriching and yielding experience of students.

In the end, all the participants involved in the teaching – learning process should be in mind that the ultimate goal of legal education is to build a legal aptitude and reasoning so that various legal theories and principle can be applied from case - to - case basis in order to prepare students to serve the legal as well as non-legal fraternity in reaching to quicker resolution of disputes. The same should and can be ensured through online courses as well, the only requirement being active participation and zeal in the participants directly involved in the course.

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[40] Arul George Scaria, Converging Online And Class-Room Methods: A Promising Mode of Knowledge Sharing in Digital Age?, 3 (1), Journal of National Law University, Delhi (2015-16).