

How to Cite:

Pathak, N., & Gwalior, M. P. (2022). Transformation of legal education to face COVID-19 disruption. *International Journal of Health Sciences*, 6(S3), 6736–6746.
<https://doi.org/10.53730/ijhs.v6nS3.7497>

Transformation of legal education to face COVID-19 disruption

Dr. Nitin Pathak

LL.M., PHD in law

Gwalior M. P.

Abstract---During Covid time nothing remained untouched and due to social distancing everything is done on online platform like business, education, communication, court procedure etc. All the colleges and schools were closed and the education has shifted to online mode. This Covid has also reformed the legal education and has transformed the legal education in such a way that a student from remote area could be able to do law courses from the world class university. Now online resources reduce the high cost of books, materials, stationery and geographical gap. This Covid 19 act as a catalyst for the legal education. Now traditional legal education like lecture based teaching, court visit, reading digest, costly books and journals has been transformed to digital legal education like online lecture based teaching, online examination, online moot court, webinars and online workshop. Now online resource materials, e-journal, various websites regulated by UGC, Egan, in fibnet and various resources are made available for better outcome. But this transformation requires techno savvy people, trained faculty, online resources and techno friendly people. This transformation of legal education on one part provides a great learning platform for the learner but on the other part also creates issues like poor network, lack of technology facilities etc. This research is made to review the transformation of the legal education to face Covid effect. This research also evaluates the guidelines for the better learning outcome on online mode. This research also analysed the key challenges with the present transformed legal education student responses with present legal education.

Keywords---digitalisation, legal education, technosavvy, online learning, hybrid mode, synchronous methodology, massive open, online course.

Introduction

Legal education is essentially a multi-disciplined, multi-purpose education which can develop the human resources and idealism needed to strengthen the legal system. A lawyer, a product of such education would be able to contribute to national development and social change in a much more constructive manner.- S.P.Sathe. According to Babylon's Dictionary, "Legal education is the education of individuals who intend to become legal professionals or those who simply intend to use their law degree to some end, either related to law (such as politics or academic) or business. It includes: First degrees in law, which may be studied at either undergraduate or graduate level depending on the country; Vocational courses which prospective lawyers are required to pass in some countries before they may enter practice and Higher academic degrees".*

Legal education played a great role in providing competent legal professional. Since independence legal education institutions are pioneered in providing practical as well as theoretical knowledge regarding law by various mode like moot court, lecture base studies, group assignment, case research and writing research report. In this way, legal educational institution are developing legal professional in India. Covid-19 had an adverse impact on the education too and during Covid-19 legal education has been transformed to digital legal education. The offline mode education has been transformed to online mode. Technology has taken place in the legal education in such a way that for better learning during Covid, the legal education has taken the form of online mode lecture, e-resources, access to various online journal, digest, online moot court and group studies. The legal education has been transformed into giving online lectures through synchronous method of teaching with the use of remote access technologies .The law school were more engaged in moot courts, webinars, online national and international seminars and conferences. This has made possible for the remote areas learner, students belonging to Band C grade institution to have world-class learning. Now it has become possible for the learner to learn everything from the expert and world class expert lectures are easily available for the learners. During this Covid time, the geographical gap has been removed away and it has facilitated the reach of legal professional and students to the world legal education. Now every legal information is made accessible to each individual and this has made possible for the legal students to get world-class knowledge. Many legal institutions are imparting legal education through online mode like ppt, audio video, chat, social media platforms. On the other hand, this transformation of legal education also faces certain challenges like poor network, weak audio video, not having adequate knowledge regarding technology, remote areas and lack of clarity regarding contents. So only technosavy individual are getting interest in this digital legal education and people who are technically savvy used this opportunity and became the masters of online teaching without analysing the impact of the same. Traditional law schools also do not have all the online facilities of learning.

Through this research the researcher has reviewed the transformation of legal education during Covid-19, exposure of law school to Covid-19 and various

*<https://www.legalserviceindia.com/legal/article-199-legal-education-system-in-india.html>

challenges associated with this digital education like poor network, lack of digital facilities with students and traditional institution. This research also provided certain suggestions so that challenges associated with the digital legal education can be minimised. For the purpose the research evaluate the primary as well as secondary data through asking questions from respondents, discussion with peers and experts, observations and online search. This research is based onbooks, websites, journals, supreme court judgement, articles, analysis legal institution and experts. This research is based on both qualitative and quantitative data made through empirical and doctrinal method.

Transformation of legal education during COVID time

Legal education during Covid time was very challenging but it provided exciting opportunities for the students for becoming future professional. The massive proliferation of artificial intelligence, Big data, cloud computing, affordable mobile device and Internet broadband connectivity are offering new way for educating law students and this has revolutionise the legal education in such a way that now law students are not required to be on campus to read law. Technology brought radical change in legal education and now legal education is provided through Massive Open Online Course (MOOCs). Now with the use of various educational tool law schools are providing legal education on online mode and also creating, designing and delivering their module via internet.

During this Covid time, legal education has adopted the technology and tools for the transformation of the legal education system. During the pandemic, it was the digital ecosystem which kept the world together. Be it the internet, IT-enabled platforms or mobile phones to make digital connectivity simpler and effective, we continued to function in India through these digital systems. The global pandemic has created havoc with the lives, health and safety of people but it has also given us a lot of opportunities. One has to begin thinking on future scenarios for using technology in the legal profession. During Covid the transformation of legal education contributes to ensuring the accessibility of the learning process and the involvement of students in this process, significantly expands the possibilities of searching and using information to solve the assigned tasks, allows synchronous interaction between the teacher and the student, and operational control of the level of competence formation.[†]In the present era of information capitalism, economic liberalization and WTO, legal profession in India has to cater to the needs of a new brand of legal consumer/client namely the foreign companies or collaborations. In the changed scenario, the additional roles by law professionals to play are that of policy planner, business advisor, negotiator among interest groups, experts in articulation and communication of ideas, mediator, lobbyist, law reformer etc. Due to expanding role of law professionals our curriculum has been transformed into various interdisciplinary courses which are must to produce the competent law professionals of 4th generation.

Intellectual proprietary rights, Energy laws, Arbitration and negotiation, Amalgamation laws, e-contract, legal research has been evolved as a need of the

[†]https://link.springer.com/chapter/10.1007/978-3-030-83175-2_103

time. So Various universities and law colleges have started various programs reaped to IPR, Energy law, Cyber laws, Amalgamation courses, Arbitration and negotiation courses, e contract drafting and many more like LLM in financial and corporate laws on online mode. Due to this transformation in legal education, now legal education has taken the form of project based studies. Now students are getting trained on live projects so that they can acquire practical knowledge regarding legal profession. Many legal institutes by experts has been evolved providing practical online courses as per the industry need. In the traditional legal education, the courses were very traditional and not updated. During Covid, Digitalisation has been evolved asa need and this creates opportunities for the universities and expert for sharing their knowledge remotely and gets more number of students benefited. During Covid, there are an number of renowned experts, supreme judges &advocate who are sharing their knowledge and experiences and preparing the legal learner to match the future needs.

Before Covid students belong to remote colleges were not having opportunities to get expert knowledge. There was lack of experience, lack of knowledgeable faculty and lack of awareness regarding the profession need due to shortage of facilities and resources. Law school are having tradition of moot court practice, internship on every semester since decade and they also have tie-ups with famous law firms and renowned advocates. But the law institute belonging to category B & C could not be able to provide such facilities like NLUs due to limited resources. But due to Covid, now it has become possible for the learners to get world class learning with no cost and less cost. Now various foreign universities have started online courses in legal education on hybrid mode and international opportunities are made possible for the students. Now this transformation has fulfilled the knowledge gap, resource gap of the legal education and facilitated the reach of world class education to every part of the world. This has made possible for the students from remote area to participate in international conferences, hearing international speaker, collaboration with foreign universities and access to world class resources.

This has also reduced the high cost of books, wasting of time and enhances student participation and universities collaboration with renowned colleges and universities. This online mode has made it possible that now maximum law schools are engaged in faculty sharing program and signing MoU with various universities and law school to compete the need. Now students with very low cost can do program with renowned law school as many renowned universities are there like Jindal law school, Nalsaar are conducting their program in online mode. Introduction of online learning mechanisms in legal education is the need of the hour .Legal education has been shifted to digital mode and law schools are using robust Learning Management System as a mode and trained faculty to handle the Hybrid Blended and Online (HBO) learning.‡Now law schools are engaging students live in the online class rooms as per schedule, mentor them, and conduct their internal assessments and offer online examinations. Now evaluation system has been changed and online evaluation are being performed.

‡<https://www.google.com/amp/s/thedailyguardian.com/legal-education-in-india-will-covid-19-act-as-a-catalyst-for-reforms/%3famp=1>

Advantages of online legal education are plenty for the advancement in the legal education and also for a law student staying in the remotest part of the country. Now the technology has significantly enabled students in remote areas to access resource persons, literature and opportunities of internships online. In this digital world, a student of law in Jharsuguda would be able to hear Harish Salve argue in the International Court of Justice at The Hague, or a student from a village in Darbhanga could do a course from Yale through Coursera or a course from Harvard University through edX. UGC in its recent guidelines on “Examination and Academic Calendar in view of Covid-19 pandemic and subsequent lockdown” has emphasised the need for promoting online learning and suggests provisioning of virtual classroom and video-conferencing facilities, training of faculty on these platforms, preparation of e-content, and practice by the faculty to complete their 25% teaching through online mode in post-Covid situation as well.”

Globalisation has given law education a new avatar in terms of higher education pursuits and global employment. It has also impacted the legal education in India manifold. As we know, the legal service sector is yet to be considered seriously for rolling out to foreign players. The legal services industry is experiencing a fundamental transformation as a result of the expansion of trade and development of new fields of law, corporate restructuring, privatisation of government departments, cross-border mergers and acquisitions, issues dealing with intellectual property rights and competition law. Nevertheless, the Bar Council of India decided to establish a full-fledged law university in the country as a premier institution in law in association with the Government of Karnataka to attract young talent from school.[§]

Hon'ble Mr. Justice U.U. Lalit, Judge, Supreme Court of India, delivered the Presidential Address, in which he pointed out, “The unprecedented circumstances posed by COVID-19 has prompted change across the legal profession and legal scholars. The biggest transformation the pandemic has led to is in the significant increase in the use of technology. The Pandemic made us improve our digital acumen and adapt in terms of virtual hearings, e-fines and e-conferences. For students digitisation has made it possible to receive knowledge, imparted by renowned academicians globally. It had bridged the gap posed by geographic constraints by altering the mode through which education has traditionally been imparted” .The future of the legal profession including the quality of lawyers and judges will depend on the foundations of learning that will be established by law schools. All of us need to have a strong stake in ensuring the quality of legal education, which will shape the future of the legal profession.

Challenges during this Covidtime

During the study it is also revealed that a part of the benefits of digital legal education like time saving, fastest learning, easy availability of the contents, fastest reach, good collaboration of the peers, group studies, better visualization of the contents, the respondents are also facing certain challenges like poor network, lack of facilities, distributed audio video, less interested, lack of skill of

[§]<https://www.educationtimes.com/article/careers-others/83422600/legal-education-must-address-post-pandemic-concerns>

the communicators and lack of knowledge regarding technology. It is true that today in this Covid time technology has been explored in a great extent and various facilities like applications, social media, WebEx facilities, Google Doc. has been evolved and that's played a great role to fulfil the gap in this Covid time. Expert also suggest that Law Schools need more adoption of technology-related legal education to prepare students for a successful career. It is very important that these challenges must be taught in law schools. Indian exposure in global plat forms. Understanding of technology-related laws is a very important aspect which law schools must focus on.”

To find out the challenges the teacher has reviewed various related articles, personally reviewed the experience from the experts, faculty and students. To find out the challenges all types of institutions like NLUS, private and government universities and colleges has taken account and found out that mostly 70% NLUS has shown satisfactory results during this Covid time but as per the traditional institution like coaching institution, private and government institutions, only 60% private institutions and less than 50 % Government institution has shown satisfactory results with respect to delivery of contents, completion of syllabus, student attendance, assignment completion, outcome of course, extracurricular activities, students internship and availability of the course materials. People who were technically savvy used this opportunity and became the masters of online teaching without analysing the impact of the same. This is seen during review that lack of technology facilities on part of institution and students, lack of adequate knowledge regarding educational technology, less technosavy of the faculty and students really affected the objectives of the legal education.**

So after analysing the observation and discussion with the respondents the researcher has analysed the certain challenges on transformation of legal education like,

- **Poor network** –It is revealed during research that students and institution belong to urban area are having good network facilities and there is very less disturbances of network. But students and respondents of remote area are having poor network and this really affects the delivery of the contents and students belonging to area losses their interest in the class and that results in low attendance in the class.
- **Less online facilities** – It is also seen that traditional law schools are having less online facilities compared to private institutions and NLUS. On part of student also, students belonging to remote area are having less facilities for online education. Their economic, social and cultural factors really affect them. More than 50 % legal institution are unable to cope with the present need.
- **Less technosavy** – It is also seen more than 40% respondents are not well technosavy. As per latest legal education technology facilities like WebEx access, WebEx recording, making assignment on Google Doc, screen

**Demchenko, Maksim V.; Gulieva, Mehriban E.; Larina, Tatiana V.; Simaeva, Evgeniya P.,” Digital Transformation of Legal Education: Problems, Risks and Prospects,” *European Journal of Contemporary Education*, v10 n2 p297-307 2021.

sharing during presentation, contents visualization during online delivery. This lowers the respondents interest in the digital education.

- **Protest regarding high tuition fees-** during research it is found that during Covid most of students are protesting against the high tuition fees of NLUs. This creates problem for the availability of resources.
- **Lack of skill** – It is revealed that though our legal education has been transformed in this technology world to fulfill the gap but there lack of skills with the respondents like less skilled related to online contents delivery, less technosavy, unable to balance the issues related to online learning. Beside this, it is also seen that
- **Large group of students** – It is also seen that there more than 70% of the institution are having large number of students I.e. more than 70 in each class and that create lack of interest due to poor delivery of contents. It is seen that most of the faculty are less skilled on online delivery of the contents to the large group and adopted technology is also not supporting the contents delivery to the large audience. There may be echo problem, disturbed Audi video, background disturbances and less visualization of the contents.
- **Students and faculty are not equipped and trained with technology** – we know that we are not born with technology. Due to digitalization of world in this Covid time we are matching the needs. It is seen that though legal education has been transformed into the digital world but the students and faculty are not well equipped and trained with the education technology. BCI has provided various education guidelines to improve the effects but it is seen that more than 40 % of the students and institution are unable to fulfil the guidelines. This may be due to lack of technology facilities with the students. It is also seen that traditional institution neither having online facilities nor providing training regarding it. This creates challenges during online delivery of the contents. No special training regarding updated educational technology is given to the faculty and students.
- **Health issues with the respondents-** During the research the researcher also reported about the health issues like vertigo, vomiting sensation, migraine, headache and eyesight issues. This makes them uncomfortable with the present education system.
- **Internship and activities challenges-** Practical legal knowledge is must in the legal education system and most of the legal institutes made it compulsory to do internship, moot court and workshop during the he course. But in this Covid time all these have been transformed into the online platform and that arises various challenges like technology related problems, no contents clarity and most of the students do not participate. So this affected the practical learning of the legal education system.
- **Guidelines for the digital education system** – BCCI provided guidelines to improve the digital legal education to cope up the need of the legal education system. The research revealed that more than 40 percent of the legal institution do not follow the guidelines. The researcher reviewed various guidelines provided by BCCI, articles, books, websites, experts, newspapers for the betterment of the transformed legal education. The guidelines are discussed below like,
- **Synchronous methodology** – The BCI and experts suggested to adopt synchnous methodology in teaching. This will change the traditional mode

of teaching and motivates the learner to learn the things by their own. This creates autonomy, openness and creativity in the students. In this, faculty must distribute material before online class, must have a motivational slogan written on the open page of presentation, greetings students to let them know that class will begin at the scheduled time. During online teaching PowerPoint presentation is very much common and slides must be prepared before the presentation of the topic. In this methodology, the delivery of the online contents must be given with proper pause, voice modulation, proper visualization of the contents, using of proper contrast, proper platform and using proper cursor. This is also suggested of using proper images, audio and video clip to have better understanding.

It is recommended to have clear expectations about the students attendance virtually. In addition to the standard Attendance policy, the language should clarify your students to attend synchronous class to be counted as present unless they are permitted to view asynchronous recording of class in certain circumstances. It is also highly recommended to engage student in cold calling, selecting panels of students, motivate them to participate in Group work and audio video class. We also should be mindful of balancing for various issues like audio video problem, Internet Connections and ask and ask them to contact on such issues.

- **Chat, audio and video** –We must prefer chat audio and video for the student to ask and answer questions.
- **Use of computer instead of mobile-** Students must use computer instead of tablet mobile to participate in synchronous classes to enhance the participation of large number of students. We should have WebEx access for the student. WebEx is having great features to breakout the groups as we needed.
- **Use of latest educational technology-** Use of latest education technology like WebEx, Google doc for the online learning. WebEx is having great features to access large number of groups and breaking large number of students into special groups for better learning of the contents. Google doc is also very great platform where we can make online assignments and having evaluation great evaluation option.
- **Training of faculty and Students** –Training must be given to every faculty and students regarding updated technology. Training must be given with respect of WebEx-access, webEx-recording Google Doc, sharing screen, sharing and preparing of online material, preparation of PowerPoint presentation and delivery of online contents. So that most of them can be technosavy and online learning objectives can be achieved in the present legal system.
- **Social media-** It is recommended that it would be useful to connect our students to the social media network for sharing problem, group discussion, clearing doubts, sharing things. Whats App, Facebook are the good platform to have better learning outcomes.
- **Technology assistance-** It is recommended to have at least one teaching assistance for the online class who can handle all technical issues associated with the online platform. This will help to control unnecessary disturbances during online class.
- **Class coordinator-** It is recommended to have class coordinator for the curriculum so that he can monitor regarding student attendance, syllabus

curriculum, contents clarity, online class issues so that issues can be resolved and better learning of the students could be possible.

- **Student notes taker**-During all online presentation the communicator must arrange one student in the class as a notes taker on behalf of the class and he must be trained for the online post and sharing the notes on canvas after the presentation.
- **Minimize overcrowding on PowerPoint slides.** This will benefit students with weak internet connection causing low-fidelity image transmission.
- **Use of proper colour and contrast**- It is recommended to have high contrast like dark text on a light background. Avoid using red-green or yellow-blue combinations as contrasting colours because individuals with colour-blindness are unable to differentiate the text from the background.
- Make sure that all the materials in a course must be searchable. This will allow learners to search for words or phrases within a document.
- **Communication through email, WhatsApp** – communication regarding assignments, expectations must be made through email or social media.
- **Practice** -must be made in advance of the technological elements that we use in online class.
- **Record and watch yourself**- It is recommended to record our WebEx and watch yourself to check your audio video. By doing so, you may identify ways of improving teaching setup for teaching online class.

Conclusion

We know that during Covid-19 legal education has been transformed into the digital world. Legal education has been shifted from offline platform to online platform. All the law schools were operated on digital platform. All the learning were online and online lecture, online moot court, online evaluation of exam, online submission of assignments, online group activities, online internship and online platform to learn better. After the Covid MoU in the college held were high in number. Online webinars from the expert has taken part in the present legal education. Earlier it was difficult to exchange the ideas from the renowned experts. But due to digital education now legal education has been expanded. Now from all over the world the expert lecture can be availed to the students. Apart from the benefits of better learning resources, there are certain issues needed to be addressed in the legal education system for effective implementation of the teaching-learning process like poor network, students belonging to remote areas, lack of skills and technology, low attendance in online class, ineffective delivery. We should adopt synchronous methodology in teaching, training for the use of technology, balancing of issues, practical exposure, research and self learning. Now many institutes are making their things online and internships are being performed online. This research has concluded certain points to take the advantage of online learning and minimise the associated challenges.

Concluded points

- Training regarding technology like WebEx access, screen sharing, PowerPoint presentation, Online making assignment on Google Doc must be given to the faculty and students.

- Training regarding effective online teaching must be given to the faculty.
- Institution must improve their online technology facilities for better digital learning. They should provide free laptop or iPads to the students so that they can match the need of the digital education.
- Student notes taker, class coordinator, technical assistant must be arranged for the effective learning outcome.
- Institution must hire technosavy and knowledgeable faculty so that better delivery outcome of the digital education could be possible.
- Online webinars from the expert, online workshop, online moot court competition must be done in good number. This facilitates the learning with no cost and less efforts. This makes possible for the remote learner to have national as well as international exposure and it all full fills the knowledge gap of the learners.
- Online digital library, eBooks, Supreme Court online portal and various other online access must be provided to the students. The institution must make tie ups with various renowned journal like EBC, Springer, Cambridge etc. And must provide common platform to enhance the knowledge of the learner.
- Legal educationists and regulators must make it mandatory for all the centres of legal education to have legal aid clinics to provide practical exposure to the students as part of the infrastructure and the academic curriculum without which no approval shall be granted by the BCI.
- There must be a separate pool of teachers for teaching the hands-on clinical courses as recommended by the BCI. Following in the footsteps of other countries, in India too, we need to have dedicated teachers in law who are meant for advocating, promoting and disseminating teaching on clinical courses.
- The legal education regulators and the statutory bodies of the universities must allow appointment of retired judges of the district or high courts as visiting faculty/emeritus professors etc, so that these experts having abundant life-long practical experience may share their expertise with budding lawyer.
- Our legal curricula must be made multidisciplinary, creative and flexible. We must integrate topics such as reforms in the justice delivery system, clinical legal education, practitioner's workshops, legal writing and alternative dispute resolution into a national course module.
- Our law libraries are too few and poorly stocked. The latest technological tools of research must link each law school with the best sources of knowledge globally. A library cess levied only on senior advocates across the country must be operationalised for law libraries for maximum ground impact in urban and rural India.

References

1. <https://www.legalserviceindia.com/legal/article-199-legal-education-system-in-india.html>
2. University Grants Commission Act, 1956.
3. Bar Council Rules.
4. The Transformation of Indian Legal Education, N.R. Madhava Menon.

5. Reform of legal education in India, BCI report.
6. Leonard L. Baird, "A Survey of the Relevance of Legal Training to Law School Graduates", *Journal of Legal education*, Vol.29, 1978, pp.264-75.
7. Hassant Azmi, "Legal Education in India in the 21st Century", (1999).
8. Vincent Luizi, "Philosophy in Legal Education", *Journal of Legal education*, Vol.29, No.4, 1978.
9. D.N. Mishra, "Legal Education in India: Present Status and Prospects" in book, "Legal Education in India in 21st Century", Jan. 1999, p.19.
10. Dr. Mohammad Farogh, "Legal Education: Contemporary Trends and Challenges", AIR, 1998(6)
11. Legal Education and its aims, as on <http://www.legalservicesindia.com/article/article/legal-education-&-its-aims-126-1.html>
12. Demchenko, Maksim V.; Gulieva, Mehriban E.; Larina, Tatiana V.; Simaeva, Evgeniya P., "Digital Transformation of Legal Education: Problems, Risks and Prospects", *European Journal of Contemporary Education*, v10 n2 p297-307 2021, <https://eric.ed.gov/?id=EJ1311537>
13. <https://www.hindustantimes.com/opinion/a-new-vision-for-legal-education-in-india-101610294011115-amp.html>
14. https://www.researchgate.net/publication/339326659_Transforming_Legal_Education_InThe_Era_Of_Fourth_Industrial_Revolution/link/5e4bce21458515072da72522/download
15. Assessment 21, 'Taking e-assessment at the next level' <<http://www.assessment21.com/index.html>> accessed on 30 October 2019.
16. erater, 'About the e-rater scoring engine' <<https://www.ets.org/erater/about>> accessed on 30 October 2019.
17. Richard E West, Greg Waddoups and Charles R Graham, 'Understanding the Experiences of Instructors as They Adopt a Course Management System' (2007) 55 *Education Tech Research Dev* 1 at 2.
18. C Wilders, 'Predicting the Role of Library Bookshelves in 2025' (2017) 43(5) *The Journal of Academic Librarianship* 384.
19. W Ellison, 'Designing the Learning Spaces of a University Library' (2016) 117 (5/6) *New Library World* 294.
20. Ray Schroeder, 'Disrupting the Disrupters', (Inside Higher Ed, 9 January 2019) <<https://www.insidehighered.com/digital-learning/blogs/default/online-education-was-disruptive-force-25-years-ago-now-it-being>> accessed on 26 October 2019.