

Chapter 47

Emerging Paradigms in Legal Education: A Learning Environment to Teach Law through Online Role Playing Games

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ABSTRACT

Over the last years, despite few exceptions, legal education has dropped behind in the use of digital game-based learning methods. Law schools essentially still resort to traditional lectures even though there are evidences that computer gaming simulations can represent an effective practice for both teaching theoretical concepts of law and for training students in acquiring legal skills. This chapter presents a research that is aimed at developing/trying out a new method for legal education based on the use of SGs. Simulex, a learning environment for the creation of on line role playing games simulating trials, will be presented. The main focus of the chapter will be on the analysis of the specific needs of legal education and on describing how these needs have been matched by the development of the project, from the design to the testing phase. Some user testing has been carried out in the specific case of an experimental class of civil procedure law, for undergraduate students. The second part of the work will describe the results of the testing from a didactical, methodological, and technical point of view, also sketching future developments of the experimentation.

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INTRODUCTION

To which extent legal education can benefit from digital technologies? What is the role, in legal training, of the teaching methodologies inspired by videogames?

The research described here tries to give an answer to these questions by focusing on *Serious Games* (SGs), probably one of the most promising paradigms in supporting the teaching by using new technologies (Aldrich, 2009; Gee, 2007). SGs are now used worldwide in a very heterogeneous set of learning contexts running from business management to military training. Experiential learning provided by the interaction with the wide range of scenarios that is possible to simulate by using computers, together with the appeal of videogame, is showing a remarkable ability to motivate learning processes (Michael & Chen; 2005; Annetta, 2008).

Even if with some delay, legal education is showing a growing interest towards the use of SGs. As confirmed by several studies and existing software, the simulation of real activities enabled by computer games is a powerful method for both training students in acquiring legal skills and for teaching legal concepts (principles of law and legal ethics, legal institutions).

This chapter illustrates the design, the development and the implementation of *Simulex*, together with a short analysis of the context of law teaching. Furthermore we report an encouraging experience of use of *Simulex*, our with university students.

Major Premise: Aims and Methods of Legal Education

The very starting point of the research was a brief analysis of the aims and the methods of legal education. We aimed at grounding the project on the real needs of legal learning trying to understand how the specific nature of legal contents and cultural context might affect the choices of instructional design models.

The survey allowed us not only to detect interesting connections between the traditional teaching methods of law and the emerging models based on gaming technologies, but also to draw useful guidelines for the design of our legal SG.

Aims

In a broader sense, if we drop the differences between civil law and common law countries¹, we can say that legal education has two fundamental objectives:

- To provide the abstract knowledge of norms and legal principles. In our opinion, it is clear that the practical side of legal professions requires something more;
- Regardless of the considered professional areas, legal practitioners (lawyers, judges, notaries, public officials etc.) have to acquire many skills: recognizing and solving legal problems; retrieving legal information (by using technologies as well); interpreting and writing legal texts; managing professional relations; using the proper language.

In brief, legal education objectives can be summed up as follow:

- Providing core theoretical legal knowledge (legal principles, norms, legal doctrines);
- Ensuring the acquirement of all the “practical” skills related with legal professions;
- Fostering the attitude to keep ourselves up to date.

Simulex is an attempt to address the lack of practical learning experiences that commonly characterizes legal education. Students of law faculties are usually exposed to a theoretical teaching approach that deprives them of important legal skills and knowledge. This approach underestimates the acquisition of practical experience,

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