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## ASSESSING THE EFFECTIVENESS OF LEGAL CAST IN ENHANCING STUDENTS' LEARNING: A STUDENT PERSPECTIVE

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### Abstract

Law subject seems to be a difficult subject as the course requires students to read extensively provisions and cases, comprehend legal principles, and doing research. The abundance of reading materials also makes it difficult for them to grasp legal knowledge. Accordingly, an alternative approach to assessment is designed through case-based learning (Legal CaSt) instead of traditional assessment such as pen and paper, which is becoming short-lived. This assessment approach is to develop student-centred active learning through case-based learning. Case-based assessment is based on problem-based questions that demonstrate students' ability to apply the relevant laws and decided cases to legal issues where they will be given hypothetical cases based on real-world scenarios. The objective of this paper is to assess the effectiveness of this newly introduced assessment, 'Legal CaSt' in enhancing students' learning abilities, research skills, and legal knowledge in the hypothetical case. To arrive at findings, a set of questionnaires is designed to gain primary data to know students' perspectives towards the effectiveness of 'Legal CaSt'. Using the online survey method, a total of 439 UiTM Foundation Law students participated in the survey. The findings reveal that Legal CaSt as an innovative assessment enhances law learning abilities and serve the needs of the students. These findings provide important insights into the effectiveness of this new method of assessment, where it is easier for students to understand the relevant laws by relates their knowledge and understanding to legal problems through their involvement in case-based assessment.

**Keywords:** [Case-based Learning (CBL), active learning, law, assessment method]

### 1. INTRODUCTION

The traditional method of imparting legal education involves the delivery of lectures followed by immediate post-class engagement through question-and-answer sessions. However, this strategy is not sufficient to facilitate long-term retention of the subject matter by students. The scholarly merit of the legislation discussed in the lecture class is subject to scrutiny, as argued by Smith (1967), who posits that the more the comprehensiveness of the lecture, the lesser the cognitive exertion demanded from the students. Law students typically engage in the practise of reading cases, which serves to enhance their memory rather than develop their legal reasoning skills. They have knowledge regarding the legislation, although lacks proficiency in using the necessary tools (Childs, 1914). Furthermore, the legal profession necessitates a higher level of proficiency from aspiring legal practitioners in the years to come. (Cepulo, 2005).

Introduction of Legal CaSt as an assessment driven by the need to provide law students with essential legal skills, enabling them to enter the legal profession with a comprehensive and analytical understanding of the law. The primary aim of this study is to evaluate the efficacy of the recently implemented assessment tool, known as 'Legal CaSt', in improving students' learning capabilities, research proficiencies, and legal understanding within a hypothetical case scenario.

## Overview of Legal CaSt as innovative form of assessment

The overview of Legal CaSt as innovative method of teaching and learning law is illustrated by the chart below:

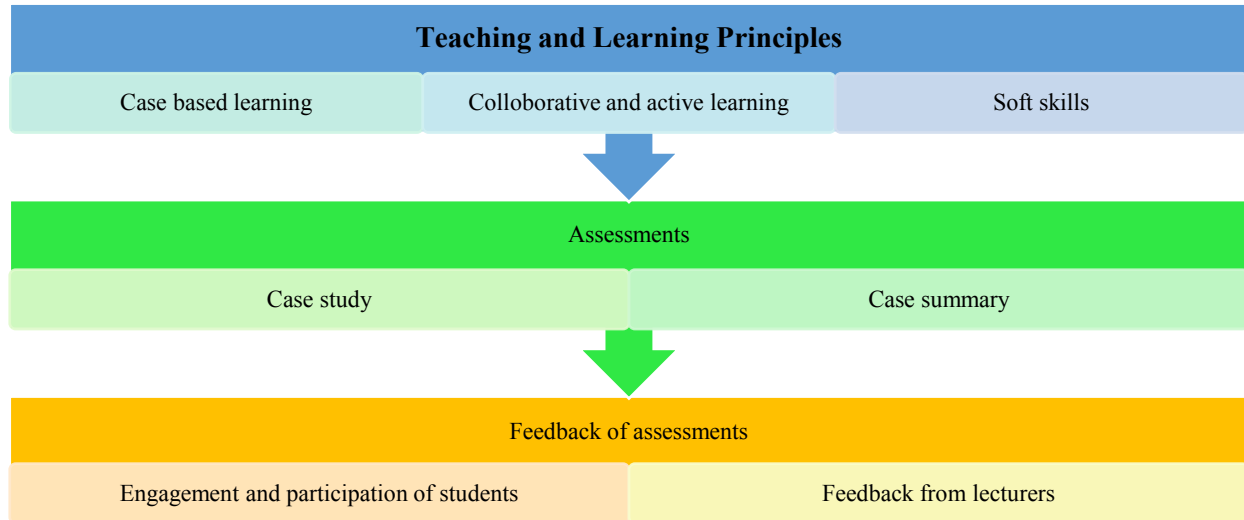


Figure 1. Legal CaSt innovative assessment

The implementation of Legal CaSt involves the utilisation of case-based learning. Case-based learning incorporates the problem-based approach within a case study framework, necessitating students to discern the pertinent legal principles. The provision of feedback from lecturers following an assessment aids students in comprehending and enhancing their critical thinking abilities. Students who receive feedback will demonstrate a higher level of engagement in their academic pursuits. During the assessment, students will actively participate in collaborative discussions and engage in cooperative efforts to resolve legal concerns within a predetermined time frame. Engaging in this practise has the potential to enhance students' legal research skills and deepen their comprehension of selecting appropriate sources for the given task. Furthermore, Legal CaSt also facilitates active learning experiences from engagement in problem-solving, project completion, and independent knowledge acquisition. This approach recognises that students learn most effectively through hands-on experiences and self-discovery. It is an effective tool for enhancing students' soft skills, namely in the areas of teamwork, time management, communication, and problem-solving. These abilities are crucial for their ongoing educational development and growth. Following the evaluation conducted by instructors, students will be provided with feedback regarding their assessment.

Apart from that, the originality and creativity of Legal CaSt can be seen from the concept of 3R as can be describe as below:

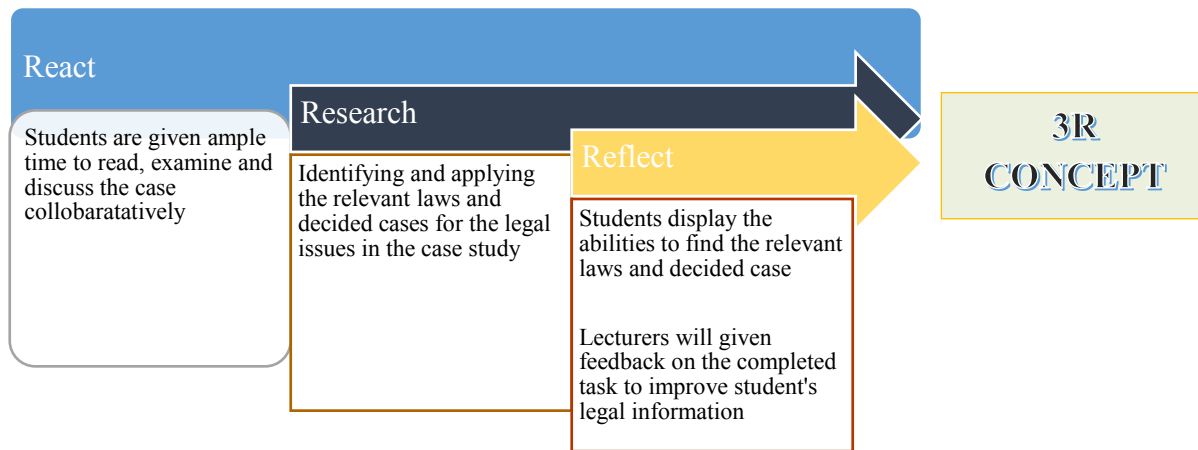


Figure 2. Originality and creativity of Legal CaSt is based on concept of 3R

The diagram shows the process of assessment of Legal CaSt from 3R concept; **React** (students will be given the instructions and questions with ample time to read, examine the case collaboratively) before they do the **Research** (searching and gathering materials from relevant laws and caselaw to apply in case study given). Lastly is **Reflect** (students will present the outcome of the assessment and lecturers will give feedback for the task).

## 2. LITERATURE REVIEW

The conventional way of teaching the law is by delivering lecture and getting immediate respond after class by asking question. However, this method does not adequate to enable students remember the subject in the long term. The permanent value of the law that is covered during lecture class is questionable as stated by Smith (1967), the more comprehensive the lecture, the less intellectual effort required of the students. Specifically, law students usually are exposed to case reading practice which it will train the memory not for legal reason. If students have no inquisitive turn of mind, and prone to outside investigations, he may pass his examinations in a creditable manner, they will leave the law school as uninformed as he was when he entered respecting the use of law books. He learned the law, but ignorant usage of the tools (Childs, 1914).

Active learning occurs when students engage in activities that promote reflection on ideas and their application. According to Thyfault and Fehrman (2009), the learning process for students is enhanced through active engagement, such as hands-on activities, as opposed to passive methods like listening or reading. In this approach, the teacher plays a crucial role in facilitating the exploration of students' individual viewpoints and values, while also integrating acquired knowledge. Students are required to engage in decision-making exercises within problem-solving contexts as presented in the case study situations. The objective of assessment is to select the most optimal alternative, with the ultimate outcome being a response or resolution to the issue at hand Chow et.al. (2006). The development of students' soft skills, such as teamwork, time management, communication, and problem-solving, occurs during the learning process, with lecturers providing feedback for assessment purposes. It is important for feedback to be both prompt and specific, as students tend to modify their approach based on the advice provided by their lecturers (Herbert, 2014).

Legal skills are necessary for students and must be developed during their study One way to equip students with such skills is through assessment. From the survey and student's interview, Martin (2003) found that a modified problem-based approach for taxation class had beneficial effects on student learning in terms

of understanding, have better preparation for tutorials and ability to deal with more complex issues including in the exam question. Students preferably choose authentic assessment (students are asked to perform real-world tasks that demonstrate meaningful application of essential knowledge and skills towards task for future employment), because of the real-life task makes they felt it is relevant for their learning and helped increased their knowledge in the subject area (Collins, 2022). Students should be given choice that challenges them to identify options and permits multiple resolutions consist of legal, normative, and practical considerations (Todd & Minow, 2019). Therefore, this research is important as it provides data about the efficacy of implementation newly assessments (Legal CaSt) from student's perspective as only limited research has been conducted in this study area.

### **3. METHODOLOGY**

#### **Research design**

A set of questionnaires has been developed with the purpose of evaluating the efficacy of 'Legal CaSt' as perceived by students. The online survey approach was employed to gather data in this study.

#### **Sampling**

A sample of 439 students enrolled in the UiTM Foundation Law programme (Part 1) participated in this study. Convenience sampling technique has been used to gain primary data to know students' perspectives towards 'Legal CaSt' as assessment.

#### **Data collection**

For the online surveys, a total of 439 questionnaires were collected among UiTM Foundation Law programme (Part 1) students. The participants were divided into two groups: 159 students (36.2%) from the PI005 programme, and 280 students (63.8%) from the PI007 program. The surveys consist of two parts: Part A, which gathers information about the demographics of the students, and Part B, which includes seven items that are answered using a Likert scale. Data was analysed by describing the results of student's perspective towards their learning abilities, skills, and legal knowledge in the hypothetical case.

### **4. RESULTS AND DISCUSSION**

#### **Student's perspective on the effectiveness of Legal CaSt to enhance student's learning**

Legal CaSt is a creative alternative to standard forms of assessment. An online survey using Likert-scale was undertaken to evaluate the efficacy of Legal CaSt as assessment.

#### **Participants**

The survey was conducted at the Centre of Foundation Studies, UiTM Selangor Dengkil Campus. Participants are Semester 1 Foundation Law students. Law Foundation programme from two programs; PI005 (UiTM Law Foundation) and PI007 (KPTM Law Foundation).

LAW FOUNDATION PROGRAM	PI005 (UiTM Law Foundation Program)	PI007 (KPTM Law Foundation Program)	TOTAL
NUMBER OF PARTICIPANTS	159	280	439

Table 1. Total number of participants

Table 1 above shows that a total of the 439 responses has been received from the survey comprises percentage of 159 students from PI005 and 280 students from PI007. The percentages of the participants is shown below:

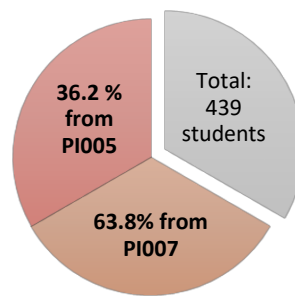


Figure 3. Percentage number of participants

## Results of the survey

Student's perspective about Legal CaSt is divided into four (4) parts, namely, i) method of assessment, ii) developed skills, iii) engagement during presentation and iv) life-long learning. Below are findings of the survey:

### 1. Method of assessment assists students to apply relevant legal knowledge in solving the task

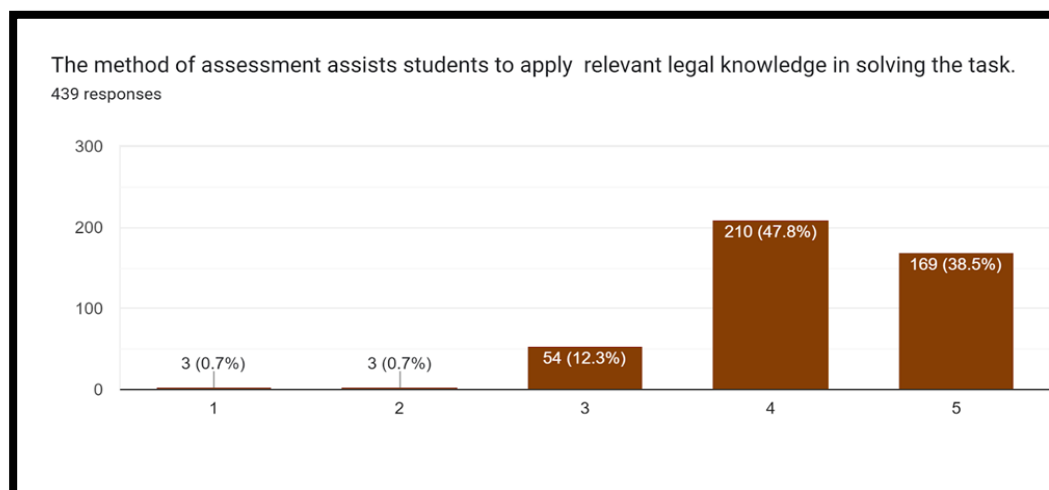


Figure 4. Method of assessment assists students in applying legal knowledge in solving the task

The result in Figure 4 indicates that 38.5% of students strongly agree and 47.8% of students agree that the method of assessment assists students in applying legal knowledge in solving the task. However, 12.3% s neutral and 0.7% of students disagree and strongly disagree that the works for them to apply legal knowledge on the task given. The students' ability to explain the relevant law applicable based on the case study helps them understand the topic and exposes them to legal learning skills.

## 2. Legal Cast develops skills

From Legal CaSt, students have experienced discussion, exploration of legal knowledge through legal research and ability to display the outcome of the task enables them developed several skills such as legal research skills, practical skills, communication skills and teamwork. The finding is shown as below:

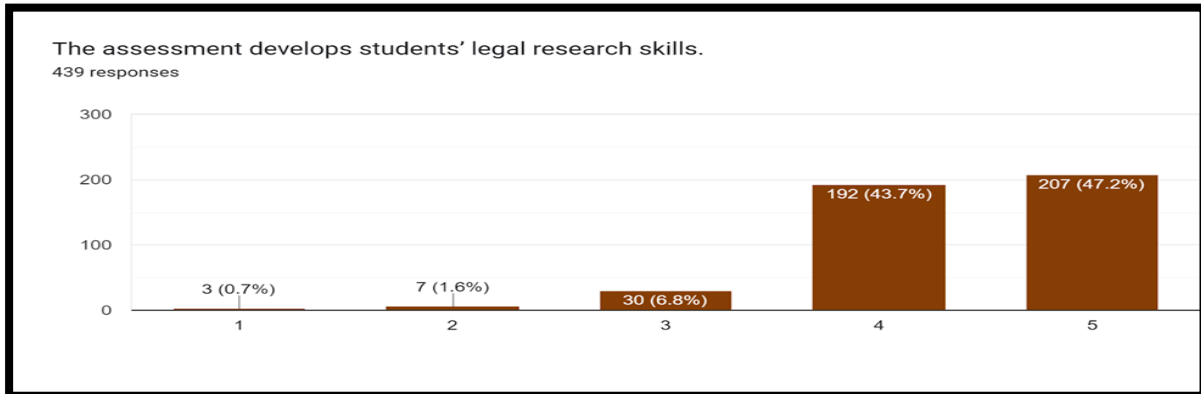


Figure 5. The assessment develops students' legal research skills

Figure 5 represents 47.2% of students strongly agree and 43.7% agree that the assessment develops students' legal research skills. Students are required to study the case, research the relevant laws, and apply the law accordingly instead of listening to lecture. It is only 6.8 % students respond that they are neutral, 1.6% disagree and 0.7% strongly disagree. As a result, majority of students are enjoyed preparing, exploring, and presenting this assessment.

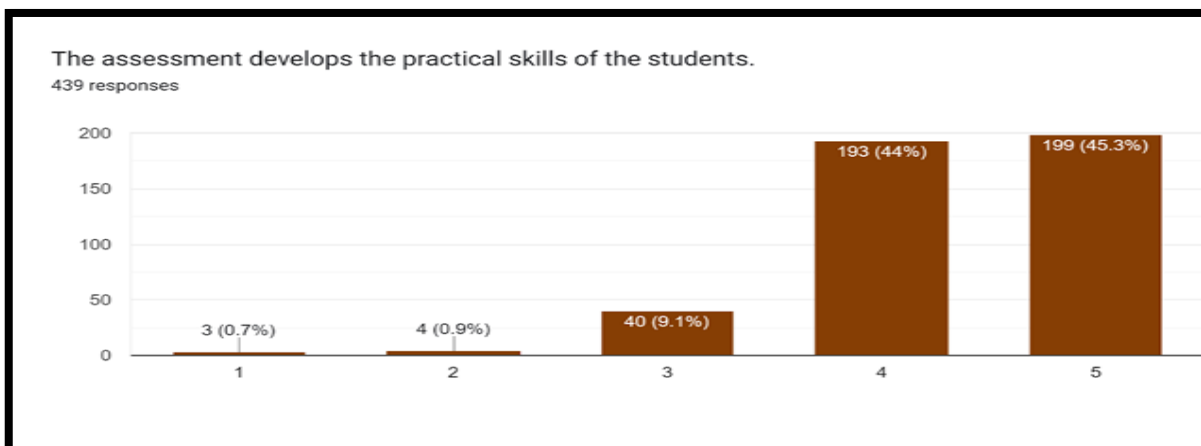


Figure 6. The assessment develops practical skills and promotes experiential learning.

The legal case study and case summary help students develop practical skills and promotes experiential learning in Legal CaSt from the above data shows that majority of students in which 45.3% of students strongly agree and 44% agree that the assessment are practical and experimental. Only 9.1% of students neutral and 0.7% students disagree and strongly disagree (0.7%) that it helps them in such aspect.

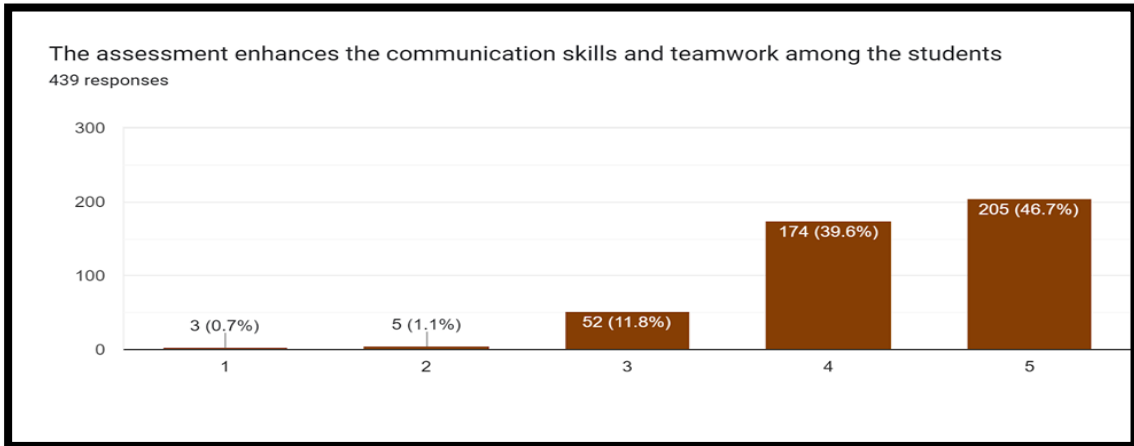


Figure 7. **The assessment enhances the communication skills and teamwork among the students**

The assessment enhances the communication skills and teamwork among the students. Besides, the important factor in successfully completing this case study is the commitment and cooperation of group members. Students need to deliver and relay information in a clear and concise manner. This is supported by the above data, shows that 46.7% of students strongly agree and 39.6% of students agree that the assessment enhances their communication skills and teamwork. However, 11.8% of students is neutral, 1.1% students disagree, and 0.7% students strongly disagree on this particular skill.

### 3. Engagement of students

One of the challenges of the assessment is engagement. Engagement for the assessment requires involvement of all group members to finish the task and during presentation. The engagement happens when students explore issues and provide a basic legal solution based on the case study given. The data below shown that majority of students strongly agree(39.9%) and agree (48.5%) that assessment enhancing their engagement and able to explore issues in solving the task. Only 10% are neutral while 1.1% disagree and 0.5% strongly disagree with this view.

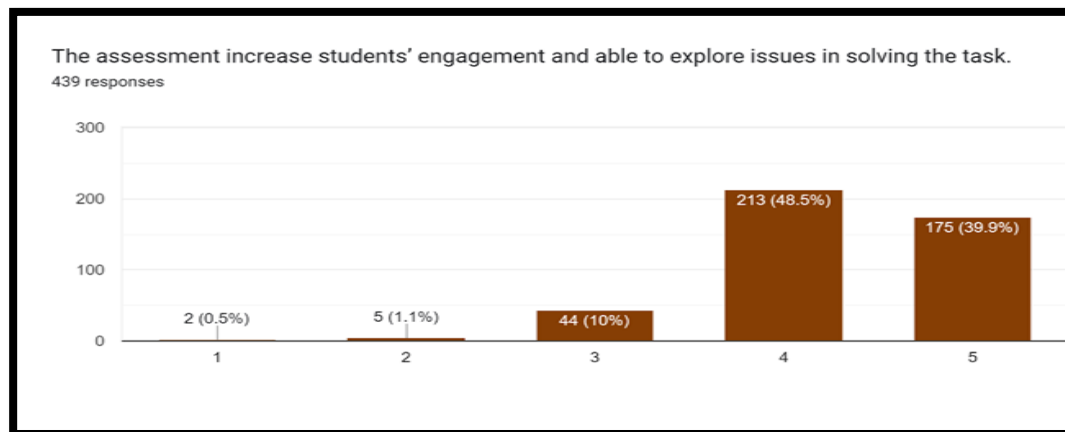


Figure 8. **The assessment helps students actively engage during presentation**

On the presentation, students need to deliver the outcome for the case study and summarize caselaw that they found. By understanding the case and applicable law in providing a solution, students able to interestingly present the task. Thus, it stimulates students' interest in learning as shown above, majority students strongly agree (40%) and of students agree (46.9%) that the assessment helps students actively

engage during presentations. Only 15.3% of students is neutral while 1.6% of students are disagree and 0.9% of students strongly disagree that it helps them actively engage during presentation.

#### 4. Assessment for lifelong learning

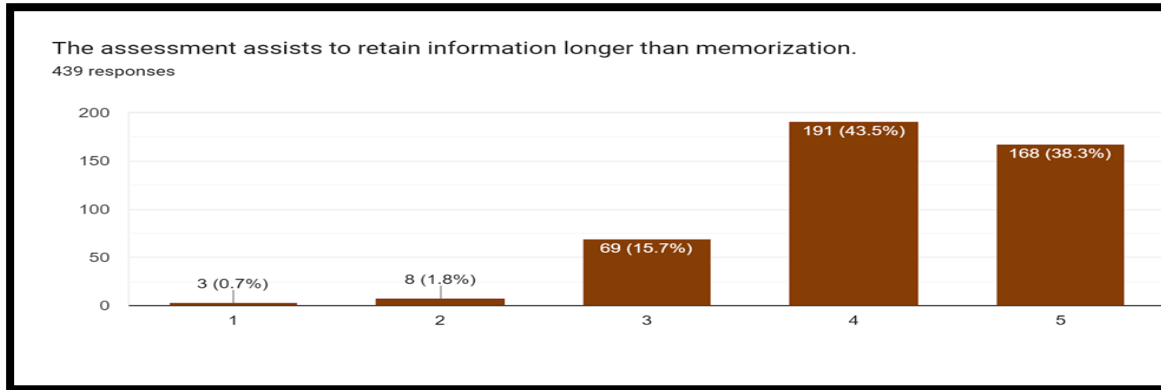


Figure 9. The assessment as for lifelong learning

The above data reveals that 38.3% of the students strongly agree and 43.5% students agree that the assessment helps the students retain information longer than through memorization. All of students contributed the completion of this assessment and such experience and skills is useful as lifelong learning. Only 15.7% of students satisfied while 1.8% disagree and 0.7% strongly disagree they may retain the information longer.

#### 5. CONCLUSION

"Legal CaSt," implemented various methods in teaching and learning, notably case-based learning. Students are required to engage in legal research, which entails the identification of primary and secondary sources of law for the purpose of problem-solving in the assignment. It is imperative for students to possess a critical and legal reasoning mindset as they are required to thoroughly analyse the complexities of the given scenario to identify and provide appropriate answers. In addition to this, active learning entails providing students with opportunities to engage in problem-solving, project completion, and independent discovery of knowledge and conclusions. Students can learn by discovering solutions on their own through preparing and performing simulations or written problems assisted by coherent and readily retrievable knowledge base through lectures and discussions (Nathanson, 1994).

Overall, Legal CaSt approach recognises that students learn most effectively through hands-on experiences. Besides, it has the potential to enhance students' interpersonal skills through engaging in active learning, collaborative learning, and case-based learning methodologies. Structured skills development such as suggested by Hughes (2009), should be introduce during the formal education phase that generally precedes work-based learning. Therefore, students have opportunity to use the legal theories to address real-life issues. Hence, Legal CaSt demonstrates efficacy as a learning tool from student's perspective, as evidenced by findings that highlight its effectiveness.

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