



Catching the Wave Together: Using PebblePad to support collaborative simulation in legal practice

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A case study from PebblePad's 2016 'Future Ready' conference on preparing and equipping learners for their journey.

The Context

This case study explores the development of a legal practice simulation project for post-graduate law students studying the Legal Practice Course (LPC) at the University of the West of England (UWE). The simulation uses PebblePad to provide an online space, housing virtual law offices. Students, lecturing staff, and external practitioners from local solicitors' firms collaborate together to enable students to simulate a variety of cases based around the legal needs of a central fictional surf retail business, "Catch the Wave Limited".

The LPC is a requirement for law students wishing to qualify as solicitors. It involves study of a range of legal and professional skills including writing, drafting, interviewing and advocacy. The simulation challenges students to use the knowledge and skills gained through LPC study to proactively rehearse and develop their sense of professional identity. They work together in teams to problem solve, handle ethical and practical dilemmas, and successfully look after a client across a fixed time period to achieve an outcome which meets the needs of the client. The naming of the central client (Catch the Wave) expresses the potential for participants to sink or swim during the project as they deal with unpredictable developments generated by their fictional client.

The Problem

At the heart of Catch the Wave was the desire to create a learning experience for students that would enable them to experience, consolidate, and develop their learning from across the LPC in an authentic, simulated setting. The LPC course aligns with the second stage of professional identity formation as identified by Sullivan, et al. (2007) during which a student learns the skills required in their professional domain, building on the acquisition of academic knowledge gained in the law degree or equivalent study (the first stage). The simulation aims to move the students

beyond acquisition of discrete skills into Sullivan's third stage, "formation of the identity of lawyers", in this case that of a solicitor, with a holistic focus on "professionalism, social responsibility [and] ethics" (Sullivan, et al, 2007 p.14).

During LPC studies students are encouraged to work on a variety of pro-bono projects which expose them to real clients and situations. However, precisely because these are real, there is limited scope to let students take the lead as great care needs to be taken to ensure mistakes are not made when working with members of the public. The simulation is designed to "place the learner deep in the realism of the situation ... in an all-encompassing way" (Grimes, 2014, p.2). This sense of immersion is key in enabling students to experience and reflect upon their emerging professional identities in a realistic way, but also within a safe environment where the risk of negligent acts is theoretical.

The Approach

The design is simple. Each version of the simulation is built around a central narrative in which Catch the Wave Limited is one of the clients. For example, in one case Catch the Wave is seeking to end a design agreement for surf wear entered into with another company, Stingray Limited. Clients are role-played by law lecturers. Students are organised into teams of four and given a law firm identity (Kilman Beecher or Rossiters). Each firm is supported by a supervising solicitor who is played by a law lecturer with relevant practice experience. This person mimics the role of a solicitor in practice who will guide and support but not "teach" the students as they work on their legal file. The final firm member is a partner who is played by a solicitor in practice. This person has an overview of the case and, as in real life, will intervene to request work is done at short notice, for example, asking for an update on developments and costs to report to an important client.

Students work largely online, incorporating some face-to-face elements such as client interviews and meetings with other lawyers, or court appearances. PebblePad is used to provide the online virtual offices used by the students. Collaboratively authored Webfolios provide space for students to store documents, record time for billing (work in progress) and communicate with each other. Discussion boards in ATLAS are linked into the firm Folio pages to provide simulated email links between the different firms, between firms and clients, and also to other simulated organisations, for example, the court or mediation service.

As PebblePad is available online, the external solicitors can easily access the project without needing to leave their own law offices. They offer valuable authenticity to the project without having to provide a significant time commitment. This allows integration of professionals into the heart of the learning in a very effective way and helps to ensure that the simulation "is capable of withstanding external scrutiny [and is] realistic enough to be believed and therefore acted upon" (Grimes, 2014 p2).

The Results

The simulation is running for the sixth time in 2016 and in its third iteration in PebblePad. It has attracted continuing support from one commercial firm in Bristol since its first iteration and has also attracted support from a range of other commercial firms across the years. In 2017 it will form the basis of a new Masters module, to be assessed by way of a reflective portfolio which will also be situated in PebblePad.

The design has potential to be replicated into other professional settings where communication between different organisations or teams is key. In a simpler form the design also provides an approach which could easily be replicated for collaborative group work projects. In Catch the Wave the full narrative is accessed by students through their work with their simulated client (a lecturer, who is provided with a very full brief).

In essence if they don't ask they don't get, as would be the case in real life. However, in a different simulation design where the process needed to focus students on more specific learning outcomes relating to knowledge or skills, it would also be possible to use PebblePad to release information to students at pre-determined stages in the narrative. Following dissemination at UWE, the model is currently being adapted for use in a health care simulation by nursing colleagues in the Health and Applied Science faculty. The new version will enable nursing students to simulate the experience of working effectively with patients accessing healthcare services.

Student feedback has recognised the authenticity and value of the experience for their professional development. Most recently in 2015 students reported:

"Great team building exercise"

"It was invigorating and a really refreshing change from study"

"I loved it because I have realised that I enjoy practising law"

"I learned a lot about myself and what is to come in my future career"

And a quote which really expresses a student's developing awareness of the reality of professional life:

"You are never finished even when you think you are finished"

The feedback from our external practitioners has also supported the value of the experience in terms of preparation of students for professional life in a law office:

“The “Catch the Wave” simulation is innovative... It is also of considerable practical value in exposing students to the realities of a legal working life. It is highly interactive, requires team work and the ability to respond quickly to a situation as it develops, whilst requiring students to provide accurate, commercial advice. It is a fantastic student experience”

Partner, Commercial Law Firm participating since 2010

Lessons Learned

The professional role playing by all participants in the simulation replaces the usual classroom dynamic of lecturer/student with a new dynamic. Lecturing staff working as clients or solicitors engage with students in a fresh way, working alongside each other to achieve the identified goals of the simulated client. An unforeseen, but positive impact of this change in dynamic has been the creation of a more collegiate relationship with students. The simulation provides a learning opportunity for the lecturers who are also faced with unexpected questions and problems, in particular in the supervising solicitor role, as the simulation progresses. Lecturers benefit from the chance to challenge their own professional skills, and think about legal problems outside the usual curriculum. This in turn creates impetus to rethink traditional teaching.

The key challenge of this project is the co-ordination of the people and technology. The setup is not complex technically, but attention to detail is required to ensure that all the sites are correctly linked to the correct discussion boards, and that the right students, staff and solicitors are able to see the correct elements of the simulation. A detailed, step-by-step project plan is ideally needed to enable the set up to run smoothly. Unpopulated copies of the firm sites are kept from year to year so they can be easily recreated for each iteration.

The LPC students have not used PebblePad before and therefore need initial training. As time is limited this is done in a staged way with an initial demonstration and opportunity to log in and look around at the beginning of the simulation. This is followed by email support and also a second chance to meet after a few days to iron out problems. A simple guide to the aspects of PebblePad that are essential to the simulation (e.g. using an Activity Log to record time) are provided at the outset. However, the project leader still needs to set aside time to respond promptly to early queries to ensure students remain engaged. The external solicitors are offered a visit to their offices to ensure they can access the work via PebblePad but have, in fact, managed to remember what to do from year to year.

Once up and running, staff need to be prepared to be responsive to the student players at short notice for the duration of the project as it runs in real time alongside timetabled teaching. It can create tension for students if their client or supervisor is not easily available, or does not check-in online regularly to keep up with developments. However, this tension is arguably also a key part of the learning experience as, of course, senior staff are not always to hand when issues develop in a real law office and dealing with this is part of managing a workload.

"[T]he simulation may take on a life of its own and result in a dynamic that may be unscripted... the resulting spontaneity may be regarded as a positive advantage" (Grimes, 2014, p2). This is exactly what the simulation is intended to do; the narrative is not fixed by pre-determined learning outcomes. Whilst there are always common themes (e.g. delivering client care, handling ethical issues, managing costs, effective team work) the outcomes vary from year to year with different court decisions and mediated or negotiated agreements arising out of the work by the students. PebblePad provides the focal point to recreate the key elements of a law office online. It allows the creation of an experience that, in the words of a student in 2015, "... is, I think, as near to a real situation as possible."

In Brief – Showcasing ‘Future Readiness’ with PebblePad

- Providing a setting for experience of managing authentic legal problems in real time.
- Supporting collaborative online working between students, lecturers and external practitioners.
- Providing opportunity for students to develop and reflect upon their emerging sense of professional identity as lawyers.
- Creating evidence that enables students to demonstrate key graduate attributes, such as commercial awareness, to prospective employers.

References

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Sullivan, W.M., Colby, A., Wegner, J.W., Bond, L., & Shulman, L.S. (2007). *Educating Lawyers, Preparation for the Profession of Law*. San Francisco: Jossey-Bass.