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Law Library Research Skills Instruction for Undergraduates at Bond University: the Development of a Programme

*Bruce Bott**

The Undergraduate Law Courses at Bond University

Since teaching began at Bond University in May 1989, there has been direct entry to both of the undergraduate Bond Law Degrees, the LLB and BJuris, without any compulsory prerequisites (other than normal University course entry requirements).

This mode of entry applies to both new school leavers and mature age entrants to the degree programmes and results in a quite diverse group of law school entrants with varied educational backgrounds. Unlike most other Australian universities (although this is now changing nationwide), Bond also has students from most Australian jurisdictions, not just from Queensland.

The major emphasis at Bond has to date been on undergraduate education as being most cost-effective at our stage of institutional development and indeed our Law Library collection of about 63,000 volume equivalents makes no claim at present other than to support undergraduate teaching well.

The Bond Approach to Beginning Legal Education

The University year is divided into three terms, each of 14 weeks. A standard subject load for an undergraduate law student is four subjects per term. New intakes to all University courses occur every term although the January term intake is always the largest.

Unless exemptions are granted for law study undertaken elsewhere, each beginning law student is required to take the subject "Introduction to Law" in the first term of study,

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usually concurrently with only one other law subject, Contracts A. The balance of the study load for the beginning student usually consists of two of the four compulsory University-wide generic subjects called: Computing and Data Skills, Cultural and Ethical Values, Management and Communication Skills.

"Introduction to Law" is offered every term and introduces students to basic legal concepts and terminology, the components of the legal system and major legal institutions, legal writing, reasoning and analysis.

An important instructional component of the course also deals with the nature of the Law Library and its materials and exposes students to strategies which promote effective use of the most important materials.

The formal programme in "Introduction to Law" consists of four hours of instruction each week: two hours of lectures to the whole intake, and small group instruction in tutorials and library skills seminars for one hour each. The groups for both of these elements may contain up to 20 students and the number of such groups requiring instruction in the term will vary with the number of students enrolled: it may be as low as four or as high as twelve.

Undergraduate Law Library Research Skills Instruction

The skills perceived as being required of lawyers in practice have always constituted a part of all courses offered in the Law School at Bond University. Skills specifically identified include: advocacy, writing, negotiation/alternative dispute resolution, interviewing and library research skills.

Nevertheless, while library skills instruction has always been part of the "Introduction to Law" course at Bond, it is only since term 1, 1992 that it has been offered systematically and in a structured fashion.

Since that time, with the encouragement, support and advice of some members of the academic staff, Law Library staff have played a direct role in both the planning and delivery of the library skills programme.

Prior to that time, as collection development was the central task for Library staff, our involvement was generally on an ad hoc basis. The time devoted to library skills was never more than about five hours over the term (and often less) and the practical hands-on component that is now a major feature of the programme was minimal. The pre-1992 programme can fairly be characterised as a number of uncon-

nected library tours and mini-lectures on various law library topics.

Since term 1, 1992 and evidently as an outcome of the more structured library research programme, Library staff have noted a reduction in the pressure placed upon them to assist students with information about basic legal research tools and the appropriate strategies associated with them. Other instructor participants in the library skills programme, members of the Law School academic staff, also inevitably have had their level of proficiency in library research skills improved, some from an admitted low base.

Transforming the Instruction Programme

A number of stages can be identified in the process of transforming the undergraduate law library research skills programme.

Preparation of Course Objectives

One of the first tasks was to prepare course objectives, for as Gronlund and Linn¹ state, "Instructional objectives play a key role in the instructional process...they serve as guides for both teaching and learning, communicate the intent of the instruction to others, and provide guidelines for evaluating pupil learning." The methods and materials of instruction are likely to be more effective if it has first been decided what types of performance are expected to be demonstrated by students at the end of the instructional session: instructional objectives clarify the intended learning outcomes.

The preparation of a draft set of objectives together with assessment criteria signalled the seriousness of our intentions when it was circulated to interested academic staff for comment.² A work that was of considerable assistance in the preparation of objectives was Gronlund's small manual.³

Anecdotal evidence suggested that the desired learning outcomes, when finally expressed, were not being met by

1 NE Gronlund & RE Linn, *Measurement and Evaluation in Teaching*, 6th ed. (New York: Macmillan, 1990) at 23.

2 See appendix 1

3 NE Gronlund, *Stating Behavioral Objectives for Classroom Instruction* (New York: Macmillan, 1970). This book itself draws heavily upon the major work of BS Bloom, DR Krathwohl and BB Masia, *Taxonomy of Educational Objectives: the Classification of Educational Goals* (New York: McKay, 1956-1964).

the existing ad-hoc programme and accordingly new course materials and exercises were prepared to meet the objectives.

Formal Assessment

The next milestone, and one which grew directly out of the preparation of written course objectives and new materials, was provision for explicit assessment.

Attendance at library seminars had been voluntary and assessment had occurred by way of an optional "library-type" question included in the final exam for "Introduction to Law". At the same time that the other major changes were being made to "library skills" prior to the start of term 1, 1992, it was possible to persuade the course coordinator of "Introduction to Law" to make that component of the course separately assessable.

Since that time, the library skills course has constituted 10% of the marks for "Introduction to Law". The formal assessment is performed by means of two open-book tests in the library presented in the manner of the weekly exercises.

Initially assessment occurred in weeks 7 and 11. The first test assessed secondary sources and case law and the second, statute law. In the light of experience, it seemed better to assess the secondary and primary components of the course separately and also to have an assessment early in the course to identify those students experiencing difficulty. Consequently, from term 3, 1993, assessment has been changed to weeks 4 and 12 to reflect this. The relative weighting of the assessments has also been changed from 5% each to 3% and 7% respectively. The aim of the tests, to revise and reinforce practical skills, remains the same.

To ensure that the practical exercises are completed week by week and the skills consolidated under supervision, attendance at the weekly sessions is compulsory and a precondition for being allowed to take the formal assessments.

Assessment in the Law School typically conforms to the standard bell curve of norm-referenced assessment. The library skills assessments, however, are testing for skills mastery by means of criterion-referenced tests and, therefore, the marks in their distribution tend to be skewed towards the top end of the scale. This is a fair indication that course objectives are being met by participants.⁴

⁴ See RK Hambleton, Criterion-referenced Measurement and D Vincent, Norm-referenced Assessment IN *The International Encyclopedia of Education*, (Oxford: Pergamon Press, 1985)

Use of Peer Teachers

The final and relatively recent course development milestone has been the use of law students, four or more terms into their courses, to assist with programme delivery.

A problem identified early in the development of the current programme was the labour intensive nature of library skills instruction of the type we were implementing.

Although each of the class groups of about twenty students is divided into three smaller groups for the purposes of working through the weekly exercise segment (the hands-on component), it is evident that one person cannot supervise adequately each of these three groups and ensure that the necessary assistance is available on an individual basis where required.

With no immediate prospect of an increase in staff, it was necessary to investigate other options.

Inspired by some student feedback,⁵ in term 1 of 1993 I advertised for law students nearing completion of their degrees to participate in a programme in term 2, described as an "advanced library skills" programme. This programme was developed on the basis that participating students would assist each week with the library exercise component of "Introduction to Law" as teachers of their peers. This would overcome our staffing problem. While their main incentive to participate was to refresh or upgrade their own library skills, regular and satisfactory performance of their duties over nine weeks would also result in their being presented with a certificate of completion.

With models of peer teaching well documented in the literature for all levels of education and for all types of programmes,⁶ it was important to maximise benefits for those involved as tutors and especially tutees (ie. our "Introduction to Law" students).

So that I could ensure that preparation for their teaching role was adequate and that their programme also had an instructional component, part of the requirement for participation was that they should attend a half-hour session in the preceding week. During this session, some coaching on teaching method and style was given, the next week's exer-

5 From a mature age student involved in a "mentoring" programme for new law students.

6 See for example VL Allen (ed.), *Children As Teachers: Theory and Research on Tutoring*. (New York: Academic Press, 1976); SW Ehly & SC Larsen, *Peer Tutoring for Individual Instruction*. (Boston: Allyn & Bacon, 1980).

cises were handed out and we worked through the examples together, often out in the library.

With eighteen students signed up as "teachers" for the programme, it was possible to allocate two to each "Introduction to Law" library skills class. Although as "teachers" they were required only to attend for the library exercise segment, many attended the classroom segment as well for some had never done "Introduction to Law" before.⁷

As part of a debriefing at the end of the course, the student "teachers" completed an evaluation form which was overwhelmingly in favour of continuing the programme in the same format.

The advertisement for a similar programme for term 3, 1993 recorded thirty five potential participants allowing three student "teachers" to be allocated to each group. This freed the seminar leader to circulate from group to group and assist where required. Better supervision and scrutiny of the performance of the "teachers" by the seminar leader could also now occur.

Although the peer teaching programme has generated at least an additional hour a week of classroom time for the Law Librarian as library research skills coordinator, the reduction in pressure on seminar leaders has made it worthwhile.

I believe that peer teaching has also been worthwhile from the perspective of the "Introduction to Law" students as reflected in the formal evaluations of the course done at the end of each term:

- Clearly the intention to provide beginning law students with more individual attention during the hands-on segment of the course has been realised.
- Motivation to complete a programme that to many has seemed irrelevant has also been increased by their association with advanced law students who provide more accessible role models of law library users.

Apart from the process of structured "skills refreshment" now occurring for selected students in the manner described above, the extension of a more formal instruction programme to undergraduate students further on in their courses has also commenced in a tentative sort of way. Library research components are being attached to other substantive law units; so far such components have been

⁷ Students with credit for prior law study may be exempted from "Introduction to Law".

attached to the initial Torts unit, Practice and Procedure and Equity.

Curriculum Content and Method: What do we Teach and How do we Teach it?

With Australian legal research and writing course models⁸ of a more descriptive kind before me, it was not hard initially to fall into the trap of including too much content in my desire to expose new law students to a programme that was as comprehensive as possible in its coverage of relevant research tools and strategies. Experience has led to the progressive removal of much detail. The outcome of this paring down process is, I believe, a programme where more is mastered even though less is offered.

A number of introductory works were helpful as guides to appropriate content and in some cases to exercise examples.⁹ Students also have access to them at the bookshop or the Law Library reserve collection.

As stated, the law library research skills programme component of "Introduction to Law" is now offered every term for one hour per week. It runs for 11 weeks out of the 14 week term and is delivered to small groups of no more than 20 students at one time. Each hour long session consists of a classroom component and a hands-on exercise component in the library and is structured to provide access to major legal bibliographic resources with emphasis upon their idiosyncrasies, the major specialist finding tools and research aids in different formats: books, microform, and electronic databases. The classroom component is presented by the seminar leader in classrooms in or adjacent to the Law Library using a variety of teaching techniques. The in-library exercises are usually available in three jurisdictional variants for each session.¹⁰ Jurisdictional emphasis is upon Queensland and the Commonwealth although in order to better spread the three small groups around the library, New South Wales examples are also used. Alternate materials and for-

8 Particularly those offered in the law programmes at the University of New South Wales and Queensland University of Technology.

9 E Campbell et al., *Legal Research: Materials and Methods*, 3rd. edn. (Sydney: Law Book Co., 1988); G Morris et al., *Laying Down the Law*, 3rd. edn. (Sydney: Butterworths, 1992); C Christopher, *Studying Law*, 4th. edn. (Acton, ACT: Branxton Press, 1991); D Derham et al., *An Introduction to Law*, 6th. edn. (Sydney: Law Book Co., 1991)

10 Identified by the use of different coloured sheets.

mats, research strategies and approaches are indicated throughout.

Apart from an introductory session, the course is presented in main three parts.¹¹

- Part 1: Secondary sources and materials;
- Part 2. Primary materials: case law and;
- Part 3. Primary materials: statute law.

Each element of the course is treated so that there is movement from the general to the specific and paper resources are treated before electronic ones where they exist concurrently.

Law Library Staff Time Commitment

Since term 1 1992, library staff have taught as seminar leaders for four hours each week of the course every term, while academic staff involvement in the programme has varied according to student numbers. As well as sharing programme delivery, the Law Librarian has the major responsibility for planning and coordination.¹² This entails preparation of the programme for the course as well as detailed session plans for each week's classes so that a reasonably consistent approach is followed by all staff involved in the programme. It also requires the preparation of all the materials, overheads and practical exercises for all classes (depending upon student numbers but between four and twelve in the terms under consideration). Library and academic staff involved in programme delivery meet briefly each week to discuss anything relevant and formal liaison also occurs between the Law Librarian and the "Introduction to Law" course coordinator to ensure that library skills programme components reflect the content of lectures and tutorials.

Up to term 1, 1993 these other activities probably occupied me for at least a further hour each week. Marking of assessments (about eighty papers) and associated activities consumes at least a further fifteen hours each term and supervision and instruction of peer teachers a further thirteen to fourteen hours, conservatively a total library staff involvement of about seventy three hours each term.

¹¹ See appendix 2

¹² The Law Librarian, administratively a member of the University Library staff and not otherwise a member of the Law School staff, is employed by the School as a part-time academic and the University Library compensated for four hours of teaching time for each week of the term.

Challenges for the Future

Although I am reasonably happy with the programme, there is still room for improvement.

The current proposals for uniform admission requirements in Australia will probably have only minimal impact upon the initial library skills instruction programme at Bond, for it seems that no substantial changes will be made to "Introduction to Law".

Student feedback by way of the regular teaching evaluation indicates that the programme should be "made more interesting" but I have not yet had any inspiration in this regard. It is also apparent that the teaching skills of the peer teachers vary and more needs to be done to prepare them adequately for their roles.

Streamlining of the assessment process to reduce the investment of instructor time could also occur and the development of a more systematic approach to instruction for advanced undergraduate students and postgraduates must continue.

Appendix 1

General Objectives: library skills

The objects of the Law Library skills training at Bond University are to enable you to:

- 1 Recognise the various elements of the legal information network;
- 2 Appreciate the function of the law library as a data base at the core of the legal information network;
- 3 Demonstrate basic mastery of efficient and effective research techniques using relevant components of the legal information network (including the law library).

Specific Goals: Introduction to law, library skills

At the end of this course you should be able to:

- 1 Identify the major categories of legal bibliographic materials by their essential characteristics;
- 2 Distinguish between primary materials and secondary materials ie. case law and statute law from treatises and legal periodicals;
- 3 Distinguish between the various publication formats: book, microfilm, microfiche, video and audio tape, CDROM, on-line computer database and understand how to gain access to the information they contain;
- 4 Locate specific examples of different bibliographic materials using the library catalogue and other available guides;
- 5 Identify the major research tools, both manual and electronic for Queensland and Australia;
- 6 Demonstrate basic mastery of these research tools and research strategies appropriate to them by completing exercises designed to test this mastery.

Assessment Criteria: Introduction to law, library skills

- 1 Demonstrate an understanding of the principles underlying the organisation of the Bond University Law Library by describing the arrangement of the library materials in general terms, explaining the reasons for this arrangement emphasising the main characteristics of primary and secondary materials and their significance to lawyers, particularly primary materials.

- 2 Demonstrate an understanding of the resources available and the methods used to locate particular textbooks and treatises, periodicals and periodical articles on a variety of subjects and an ability to describe materials located in standard bibliographic fashion.
- 3 Demonstrate an understanding of the nature of law reports (as shown by an ability to locate a variety of law reports), the basic structure of individual case reports (as shown by an ability to name the component parts), the correct mode of citation for cases and law reports and an ability to explain the conventions of citation as commonly applied.
- 4 Demonstrate an understanding of the concept of judicial consideration and familiarity with the resources available to determine the extent of judicial consideration (if any) in relation to particular cases and statutes.
- 5 Demonstrate an understanding of the nature of digests and methods by which they may be used and to what ends.
- 6 Demonstrate an understanding of the nature of statute law (as shown by an ability to locate individual statutes from a variety of jurisdictions, the basic structure of individual statutes (as shown by an ability to name the component parts), the correct mode of citation for statutes and an ability to explain the conventions of citation as commonly applied.
- 7 Demonstrate an understanding of the resources available and the methods used to determine whether or not the information presented in relation to an individual statute is as up-to-date as possible.
- 8 Demonstrate an understanding of the nature of delegated legislation, and an understanding of the resources available and the methods used to determine whether or not the information presented in relation to an individual statute is as up-to-date as possible.

Appendix 2

Basic Course Outline

Part 1 Introduction to the Law Library.

week 1 general library tour; the computer catalogue.

Part 2 Access to secondary sources.

week 2 the organisation of the Law Library: principles; manual finding strategies for monographs/textbooks and periodical titles.

week 3 periodicals and periodical articles: manual and automated access.

Assessment 1 week 4 weighting 3%

week 5 legal writing exercise (outside the library programme)

Part 3 Access to case law.

week 6 Finding cases when you know the jurisdiction; manual strategies: name and subject approaches.

week 7 Finding cases when you know the jurisdiction; electronic strategies: name and subject approaches.

week 8 Finding cases using digests.

Part 4 Access to statute law.

week 9 Locating statutes from a variety of jurisdictions and identifying main structural components.

weeks 10 and 11 Confirming the accuracy of information relating to statutes located; statutes judicially considered and delegated legislation.

Assessment 2 week 12 weighting 7%