

**Workshop in which the students interpret current law, consider proposed amendments to laws, and practise using the legal method and weighing up value considerations**

**Author:**

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**Programme, course/other context, programme level, ECTS credits and number of students:**

Programme: Law, course in Family Law and Law of Wills and Succession, programme level: BA, second semester, 10 ECTS credits, number of students: approximately 800 students divided into four groups, spring 2015.

**Motivation for the activity:**

This activity is intended to teach the students to take a research-based approach to current law and legal-policy proposals. The aim of the activity has been to improve the students' ability to analyse and evaluate complex issues and make well-founded choices, which are essential skills for lawyers. This includes the ability to identify important considerations and values. In addition to supporting the students' learning, the aim of the activity has been to use current research to put the law into a social context in order to motivate the students to engage in their studies and their own learning process.

**Key learning objectives, with focus on the ways in which the activity is based on**

**research:** The workshop is inspired by research in so far as the students are asked to interpret applicable legal rules and evaluate whether they can be improved. These are key activities for legal researchers, particularly when amendments to laws are proposed.

**Description of activity:**

This activity is a workshop in which the students have the opportunity to work with legal-policy ideas, taking a research-based approach and using the legal method to take a position on key proposals for legislative amendments in the field. The students are asked questions requiring them to weigh up different values. The workshop is taught by two researchers who teach some of the classes together and some classes individually.

The researcher first gives a presentation on current law in the area and presents the analysis parameters and considerations needed to interpret and evaluate current law on division of property according to the Act on Financial Relations between Spouses.

Then the researcher presents three different models for changing current law in the area. These models were proposed by an expert committee which submitted a report in 2015 after five years of work.

The students are activated by being asked to suggest issues to weigh up, and the researcher writes the most important issues on the board so the students can consider them.

The researcher presents specific cases in which the three models and the applicable property regime must be used. The students are also asked to evaluate how the above-mentioned considerations are taken into account in the three models.

The students work on each of these cases, first with a partner and then in a plenary discussion. The researchers provide comments. The case studies illustrate how the results differ depending on the model used.

Finally, the students are asked to indicate, with a show of hands, which of the three new models they would choose if they were Minister of Social Affairs and had to propose new rules.

### **Links between classes and exams:**

In the oral exam in family law and law of wills and succession, students draw a question that asks them to account for legal-policy solutions and the legal considerations that lie behind them.

The workshop will develop the students' ability to think along these lines.

The BA report and thesis (both on optional subjects) will often involve the students having to engage with questions relating to legal policy from an analytical and research-based approach.

### **The aims of the activity for the students (purpose/effect):**

The students will practise working with legal material with a research-based approach to current law and legal-policy proposals. They thereby train their ability to analyse and evaluate complex issues and make well-founded decisions, which are key skills for lawyers. In this way, they will have tried a miniversion of working as a 'real' lawyer by being involved in a research-inspired activity, and at the same time trained their legal skills, which they can use in their exams later in the programme.

### **Research benefits:**

From the point of view of the researchers, teaching the students about the three proposals in the committee's report made us consider the strengths and weaknesses of the proposals in more detail.

The students' comments and questions also showed points of criticism that could be made against the models. This made the classes inspiring.

### **The activity's strengths and weaknesses**

- It can be difficult for the students to understand that legal-policy considerations are relevant to the exam and important for future lawyers.
- It can also be difficult for students to decide which model is best based on three hours of teaching.
- It was important for the lecturers to point out why the activity is relevant to the exam, since the course format differs from the usual courses in the law programme.

- The prepared case studies were important pedagogically because they allowed the students to work with the models themselves and get a sense of the impact the models would have in different situations.

**Additional information (about the activity, links, or other material):**

Keywords (3-5 keywords):

To point out considerations

and values

To carry out critical analysis

To make a choice on this basis.