

ONLINE LEARNING for PARAPROFESSIONALS in the LEGAL SERVICE INDUSTRY



Cynthia Martell-Stark¹, Gemma Piercy²

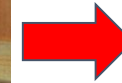
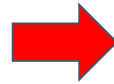
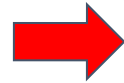
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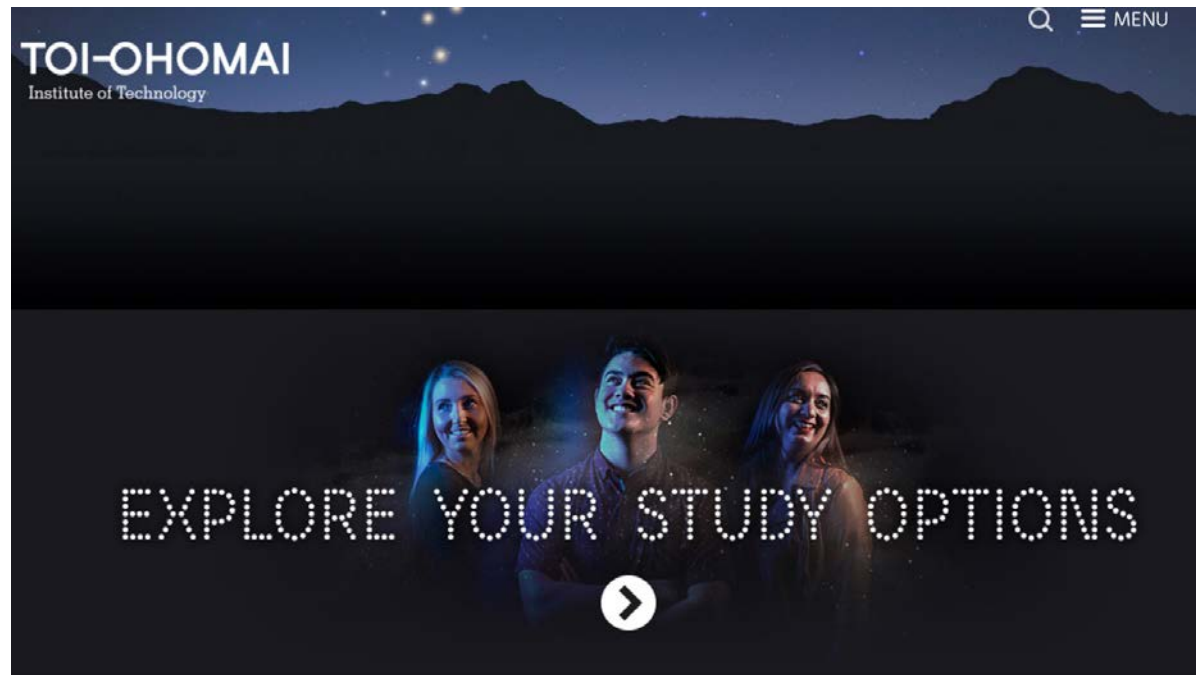
My VET Teaching Story



Toi Ohomai Institute of Technology



Created through a merger in 2016
13,000 students across 5 main campuses and 86 delivery sites



What are Legal Executives/Paralegals: NZ Context

Legal executives (or paralegals) are **not qualified as lawyers**; however most hold the New Zealand Diploma in Legal Executive Studies or its predecessor, the New Zealand Law Society Legal Executive Diploma.

Legal executives (or paralegals) are **skilled in one or more aspects of law** and **attend to a wide range of legal work**, generally specialising in one or more of the following: residential and/or commercial conveyancing, estate administration, trust formation and administration, estate planning and some aspects of litigation.

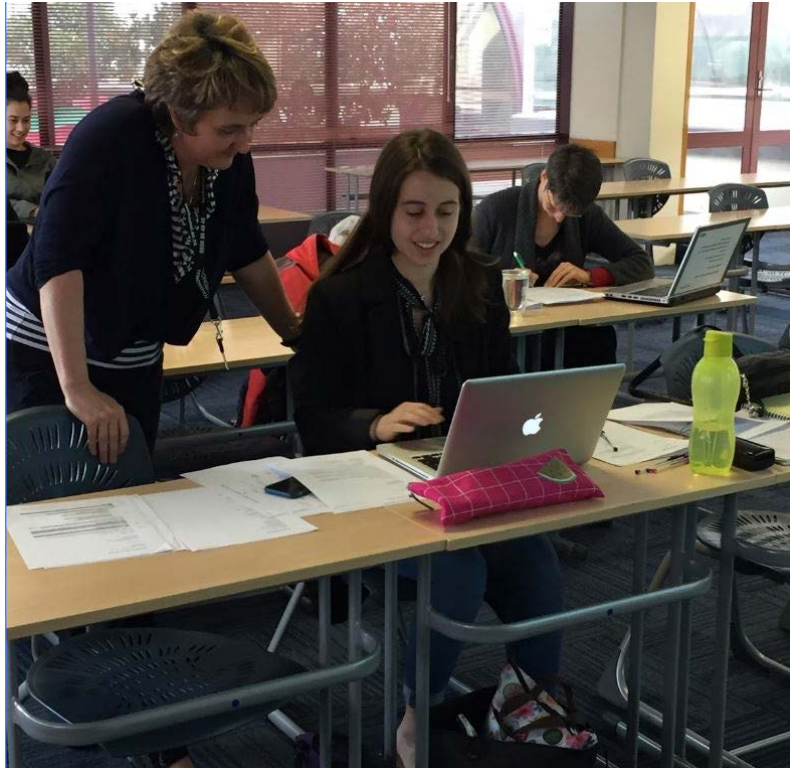
Experienced legal executives (or paralegals) can achieve a high degree of autonomy and independence. Their work is **people-oriented** and requires them to have the same **high ethical standards as lawyers**. They are told many things in confidence and have to apply tact, sympathy, patience and understanding to resolving clients' problems and giving them appropriate advice.

Definition from New Zealand Institute of Legal Executives: <https://nzile.org.nz/nzile-faqs#thi>
career_options1

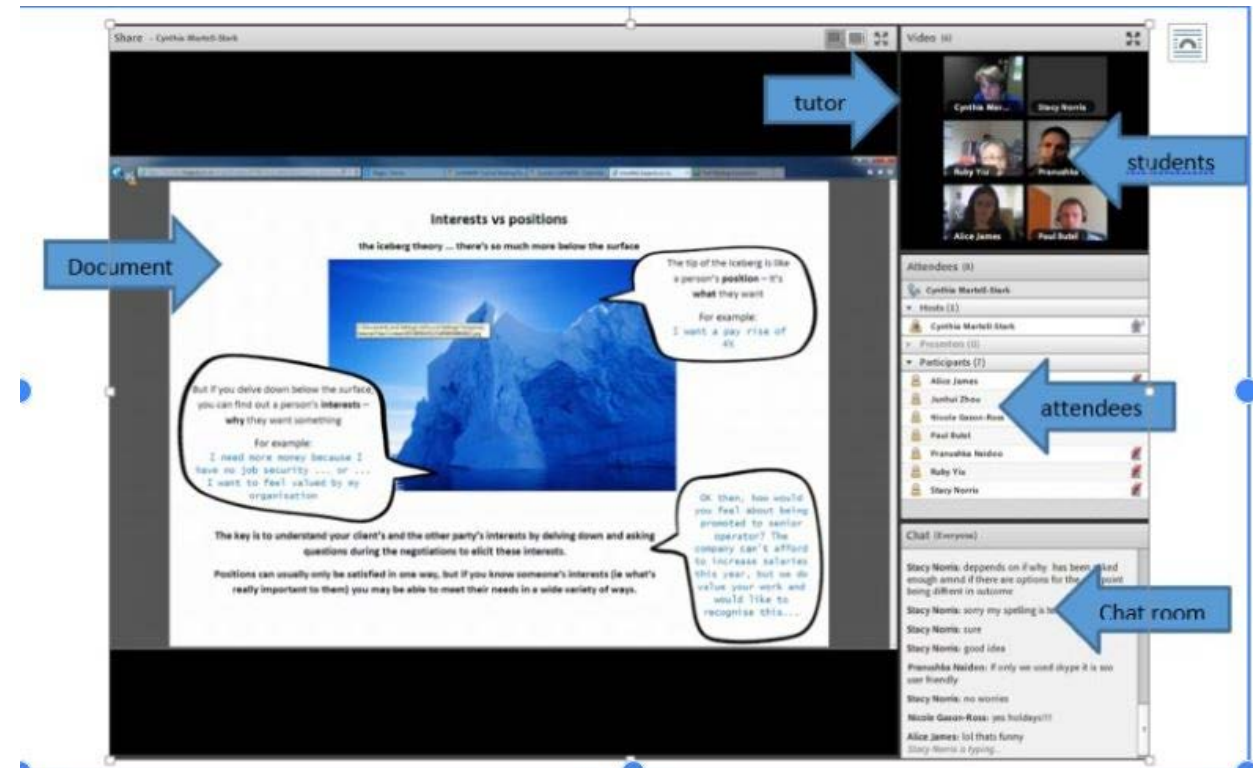
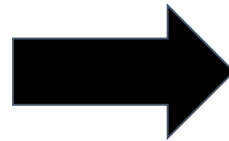
The Role of the New Zealand Law Society in the education of Legal Executives

- NZLS owned the qualification up until 2016 until the development of the national qualification known at the **New Zealand Diploma in Legal Executive Studies**.
- The new qualification gave educational providers the **pedagogical freedom** to develop a modern programme of study with updated approaches to both assessments and structure of the programme.
- Historically the NZLS were **resistant** to **online delivery** of the programme and also put restraints on the structure and **assessment requirements**
- There remains **lingering tensions** between the **NZLS** and some providers that are taking a more modern pedagogical approach to teaching and learning of legal executives/paralegals.

My OLD VET and My NEW VET



F2F CLASSROOM



ONLINE CLASSROOM

My experience so far.....



It is undeniable that there has been a World-Wide Explosion of Online learning Courses

**Online learning is one of the most cost-effective solutions to
overcoming barriers to participation in Vocational Education and
Training**



....but is this shift, driven by neo-liberal reforms,
creating the outcomes that Vocational Education and
Training desire?

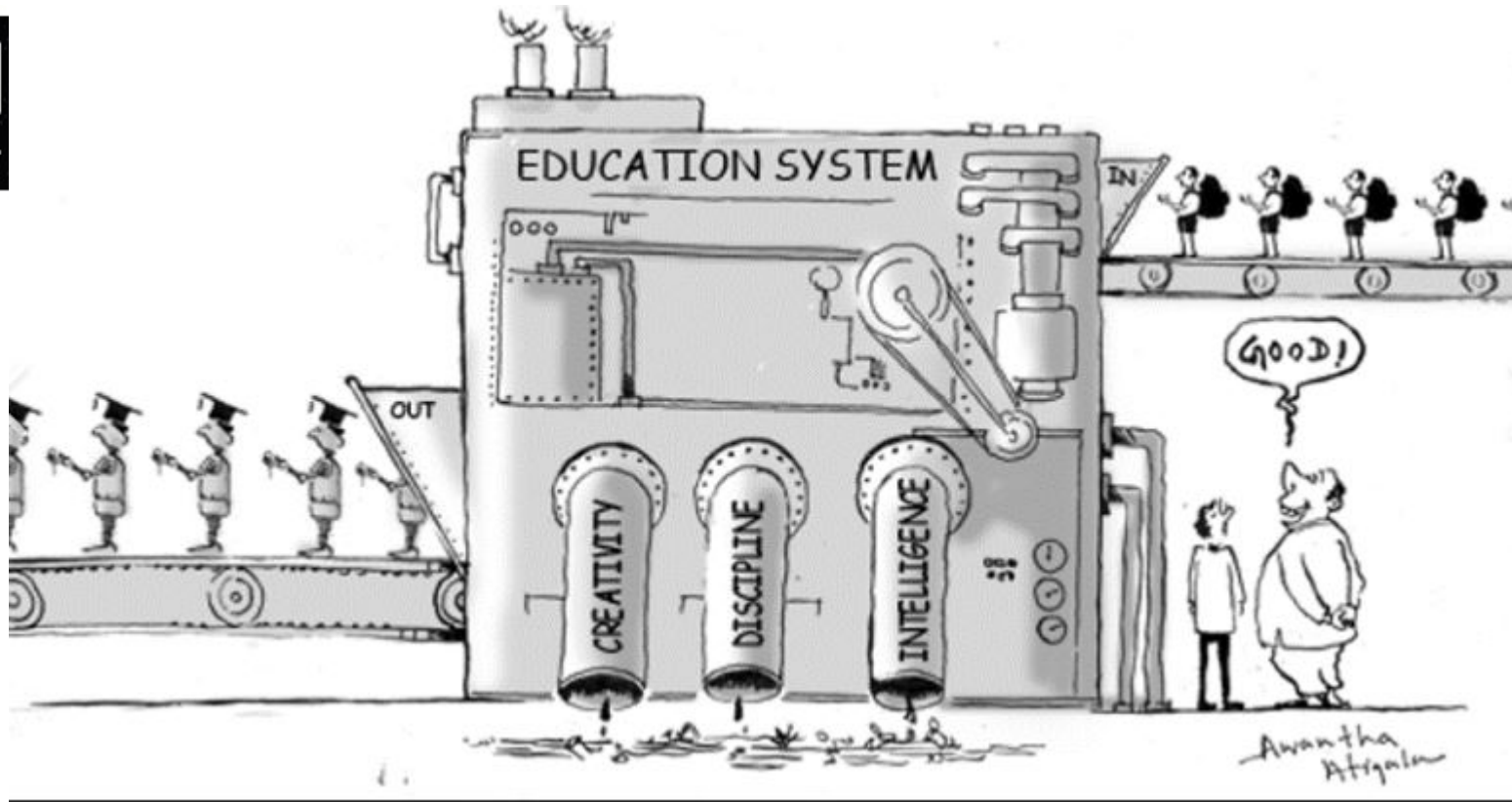


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Online Educators must be careful.....

“ For all Silicon Valley’s talk of disrupting education, most of the edtech that exists today simply digitizes ineffective aspects of education’s yesteryear. MOOC’s are just digital versions of the much maligned large group lecture, virtual flashcards are simply another tool for useless rote memorization, and online textbooks are just one more problematically unidirectional method of transmitting information without cultivating learning.”

“The current wave of education technology has been fraught with pedagogical unsound replications of the worst aspects of teaching and learning.”

(Morris and Taub-Pervizpour, 16 Feb 2018 University of Delaware)

CONSTRUCTIVISM TO THE RESCUE!

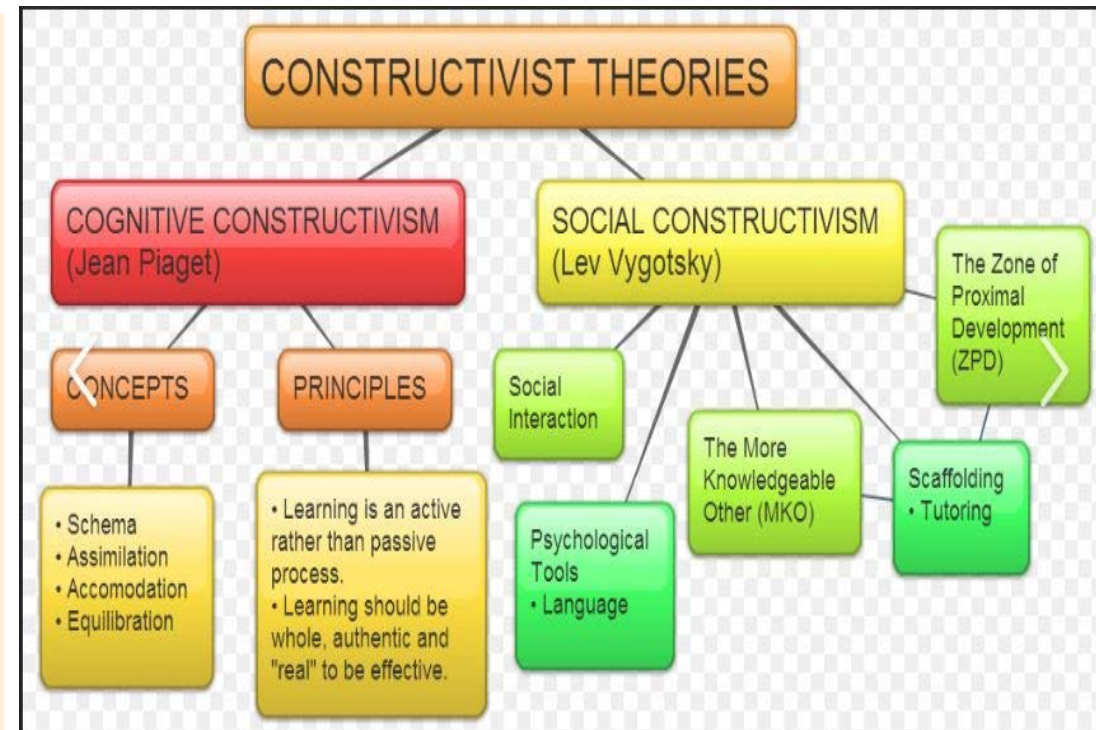


chart from : <https://www.bing.com/images/search6>

CONSTRUCTIVISM TO THE RESCUE!



A learning theory: active construction of new knowledge based on the learners prior experience

- **Active vs passive learning**
- **knowledge in socially constructed vs fixed/external**
- **Collaborative by nature**
- **Inquiry based/Group interaction**
- **Reflection**
- **Problem based learning**

Constructivist online pedagogies

- Shift the focus from 'topics that need to be covered' to 'what and how the students are to learn'
- Focus on the skills students need in practice based on consultation with industry
- Curriculum alignment: graduate and learning outcomes aligned with content/activities and assessment
- Problem based learning: use of realistic scenarios for learning activities and assessments
- The use of reflection in learning and assessment activities

Purpose of my Research

To explore the constructivist online pedagogical approach taken by Toi Ohomai Institute of Technology in the development and approach to teaching and learning in the Diploma in Legal Executive Studies

The research more specifically evaluates the impact of the shift to constructivist practices on student learning experiences during a assessment item that was designed to develop professional communication skills in the Diploma.

Literature Review Summary

- Found numerous journal articles and references supporting the use of constructivism in the e-learning environment
- The literature has fewer journal articles specific to legal education and constructivism
- Those found on point discussed the use of constructivist theories in online legal education
- It was evident there was a need for legal education to embrace technology to avoid the discipline from becoming increasingly isolated and to ensure legal education adapts to the changing nature of work and pedagogy

Assessment Item Overview:

Use of Synchronous technology



Adobe Connect: Web conferencing software used for online programmes

Learning Activity: Client Interview and Negotiation simulations

- Students practiced interviewing and negotiation skills with an allocated partner
- Students then completed each of the activities again as an assessment that was recorded
- Formal assessment: answering a number of reflective questions after each of the assessment simulations after review

Research Overview

Stage 1: Surveys

ACTIVITY	TYPE	ADOBE FEATURE USED	GROUP DEBRIEF	ONLINE SURVEY
Client Interview	practice	breakout rooms	yes	
Client Interview	assessment	Individual Adobe meeting room	no	Survey #1 sent Assignment #1 given
Negotiation	practice	breakout rooms	yes	
Negotiation	assessment	Individual Adobe meeting room	no	Survey #2 sent Assignment #2 given



Results: overall feedback was positive

“ yes, working and interacting with my fellow students during the activity assisted my learning”

“ ..it allowed me to experience the situation I would be placed in when I first meet a client”

“in the future, when I am working, it is critical to be able to discuss with clients issues they are going through. I need to be studying body language as well as talking in a clear understandable manner to the client”

Results: overall feedback was positive

“I feel like this is the only paper in the course where we are conducting an activity which is necessary to our future profession. I’ve come to realise what I need to work on and what is required to help a client”

One of the participants commented that “ I am not sure I learnt anything extra from it...but I understand everyone learns differently so having a variety of activity styles is good”

Research Overview

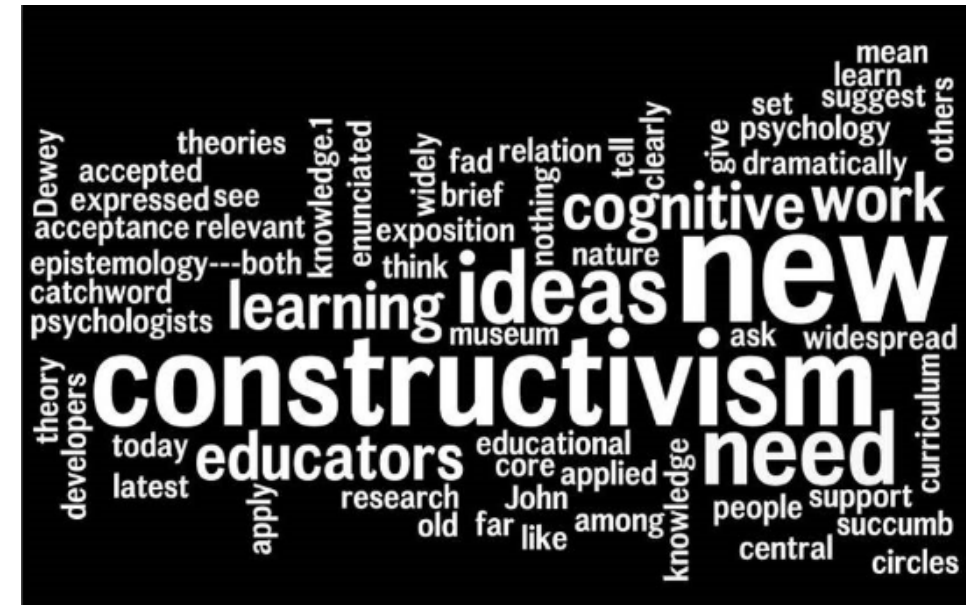
Stage 2

- Builds on the evaluation of the online constructivist approach by taking a qualitative look at the transferability of the skills and knowledge from the perspectives of working graduates and their employers
- The gathering of information to strengthen the alignment and relevance of the qualification to industry and produce graduates that adapt quickly and successfully during the transition from tertiary study to employment.



The Research Plan: Stage 2

- In-depth key informant interviews-students and industry
- auto-ethnographic observations
- discussions/reflections
- researching selves and practices
- informed by literature/thematically analysed





DISCUSSION AND QUESTIONS?



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(Level 6)



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