

## Designing legal case studies for ELP

### The most successful case studies for ELP:

- involve contemporary, motivating issues
- allow students to practise all four skills
- allow students to activate recently targeted language
- involve one clear legal dispute between two sides
- only take one session

*International Legal English* (CUP 2006) includes three such case studies, and teachers and students can design their own.

Student-designed case studies are inherently motivating, allow the student to practise useful legal research skills and provide lots of excellent authentic reading.

Student-designed case studies are an example of task-based learning which generates a final product. Students who are able lead a class based on a case study they have designed will find this highly motivating. Such case studies may also save the teacher many hours of preparation!

### A case study should include:

1. A set of facts plus accompanying comprehension questions.
2. A clear set of tasks (typically these will include reading a variety of legal texts, preparing for negotiations with the other side, attempting to negotiate a settlement, reporting back to the class and a follow-up writing task).
3. 3-4 legal texts from various sources for students to use.

### Process

1. Decide on an area of law (e.g. company law). NB many contemporary issues may involve several areas of law (e.g. company law and environmental law).
2. Choose a contemporary theme by going to a respected news source (e.g. <http://news.bbc.co.uk>) and using the website search box. Use keywords that will generate news stories involving that area of law (e.g. "company law" "new legislation" "test case" "duty to act in good faith")
3. Skim through the headlines to find an article that might be used as the basis for a case study. This could be a case currently in litigation, details of a new law and its possible implications, a story that raises interesting legal questions etc.
4. Once you have selected a story, read around it by following up links, running further internet searches etc. If using a search engine such as Google, be sure to use the "advanced options" in order to generate the most useful links possible (see <http://www.translegal.com/cup> for a series of tasks designed to develop internet research skills for lawyers).
5. Use your research to develop a set of facts as the basis of your case study. Be sure to include one clear, interesting legal issue between two sides. The legal issue should be able to generate arguments for and against each side's position, and the probable outcome should not be immediately evident.
6. Use the links provided in the "Internet resources for teachers of ELP" handout to find 3-4 texts on which the students will base their arguments during the preparation and negotiation stage of the case study. These may need to be edited down. You may also wish to use texts from several jurisdictions, in which case you could create a fictional jurisdiction (e.g. *Newland*).  
  
Try to select texts which provide arguments for and against each side (either within each separate text or across all of the texts) and which include language that may be open to interpretation.
7. Develop a clear set of tasks using the case studies in *International Legal English* as a model.
8. Using the case studies in *International Legal English* as a model, bring together your facts, texts and tasks as one complete case study for use in class.

### Variation

Rather than a dispute between two sides (e.g. two sets of lawyers representing two different interests) you can build a case study around one group of lawyers who have been called to advise e.g. a business on how they should react to a particular set of circumstances (new legislation, problems with staff/union, company restructuring etc.)