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### **Integrating asynchronous and synchronous learning components with a commercial online writing lab (Smarthing.com)**

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The digital revolution is transforming higher education. Between the fall of 1995 and 1997-98, the percentage of higher education institutions offering distance education courses increased from 33% to 44%. By 1997-98 the number of distance education courses offered, doubled from the number offered in 1994-95. In 1995, 23% of the institutions offering distance education courses, offered degrees designed to be completed totally through distance education. This number remained virtually the same in 1997-98 ( 22%), however, the number of degree programs that could be completed totally through distance education increased from 690 to 1,190. (Lewis, 51) This transformation will impact on legal education.

In the fall of 2000 St. Thomas University Law School began an online LL.M. program in International Tax. The program was implemented under the direction of Prof. William Byrnes. The program is designed to be completed in two years and all courses are offered online using Bb. Students must write a law review quality article to meet the Athesis@ requirement of the program.

For the last three year I have been involved in teaching an online Computer assisted Legal Research course to law students at St. Thomas University. The course was first taught in the summer of 2000 under an exception allowed by the ABA Distance Education Guidelines. The course was designed to be taught online using both asynchronous and synchronous components. The first summer the course was taught using WebCourseinaBox. Last year I used Blackboard to host the course while using CathchtheWeb to design web tutorials for the students; Paltalk to provide voice over IP to provide weekly synchronous classes over the web and provided access to an online writing lab (OWL) to provide comments on students basic writing and grammar support from Smarthinking.com.

Students in the LL.M. program are not required to have a law degree and many of those that do have a legal education were educated in a civil law jurisdiction. After the first year of the program Professor Byrnes discussed refocusing the four credit thesis requirement into two courses - Thesis I and Thesis II. The thesis II part of the course would focus on the completion of a law review quality paper to be submitted to Professor Byrnes. Each student would select a topic and be assigned a tutor with expertise in the area of law to provide review of the substantive part of the paper.

Throughout the fall of 2001 I worked with Professor Byrnes, to develop a thesis I course that would be available in the first year of the program. This course would introduce students to the scholarly writing process in American law schools. The course would need to introduce students unfamiliar with the requirements of American scholarly writing, to a framework for legal analysis and the

research tools available to them to successfully research their topic. At the same time it was clear that a number of students in the program needed additional support. For a number of students English was second language and they needed access to online writing lab support to improve their grammar, organization and general writing skills. Additionally a number of the students in the program do not have an American law degree. The thesis requirement is designed to have the students write an article of publishable quality in an American law review.

The LL.M. program is taught using Blackboard as the courseware. The course was designed to introduce students to computer assisted legal research and provide students the opportunity to create a research guide or pathfinder for their thesis topic. The purpose of the Pathfinder or Legal Research guide was to provide students with an opportunity to use the research skill they are being taught to practice the skills by discovering the literature that exist on their topic. The research guide provides the students with an opportunity to extensively review the literature while actively engaged in evaluating the materials found..

By the end of the class the students will complete a significant part of their research and be prepared to start the actual writing of their article.

In order to provide the students with online training modules the course utilizes Catchtheweb. This web based product allows individuals or teams to capture organize and export Aslideshows@ that can be downloaded and played in the CatchtheWeb player. The player is free and can be downloaded easily by students regardless of the speed of their Internet connection. The files created are uploaded into Bb and students then download the files and then open them in the Catchtheweb player. Students can view the show whether connected to the Internet or not. If they are connected they click on any hyperlinks within the page and jump to the link. The program allows for the inputting of notes on the page with comments as well as highlighting parts of the page.

CatchtheWeb provides a simple way to introduce students to the numerous online databases that the library have added to support the research needs of the 80+ students currently enrolled in the program. It also provides a medium for training on Internet based materials that are free. The tutorials once downloaded are available to the students as initial tutorials and for refreshers at the student's convenience.

To provide a synchronous component that would allow for cohorts to work together; students to dialog with the professor during office hours and to provide for class discussion and online lectures a shareware voice over IP product - Paltalk provides basic voice over IP for group synchronous communication. Paltalk was integrated into the course to provide office hour communication and provide synchronous discussion times in which students could respond and ask questions about the Catchtheweb tutorials. The addition of a synchronous component was a way to deal with the isolation that students feel in a distance education experience.

The most important add on to the course structure was the agreement with Smarthinking.com (<http://www.smarthinking.com>) to provide online writing lab (OWL) support for the students. The writing services that Smarthinking provide include the Writing Lab, Brainstorming Room and Grammar Room. The program was intended to provide the ESL students an opportunity to improve their writing skills, grammar and structure by providing feedback on their writing from the cadre of professionals available from Smarthinking.com. The online writing lab is one of the critical pieces of the puzzle and this experience was intended to serve as a model that could be extended within the traditional residential first year legal education experience at American law schools. There must be a way to provide students that lack writing skills or who wish to improve a critical skill set for a practicing lawyer - effective persuasive writing.

To address the concerns regarding the actual writing skills of the students it was decided that all students would have access to Smarthinking.com. Smarthinking offers help to students in three

ways: 1) an E-structor@ an online, on-demand, real-time tutorial Achat room@ via whiteboard, 2) an AEssay Center@ where students can submit drafts and receive email responses, and 3) a By-Appointment of the real-time tutorial. The LL.M program purchased enough time so that each student would have access to 8 hours of support. The program focuses on the use of the AEssay Center@.

The Thesis I course was offered for the first time in the Spring of 2002. The course makes use of Smarthinking. One exercise requires students to work as a group. The group work includes completing a 10 to 12 page paper by the group that must be submitted to the AEssay Center@.

Since individually students are required to work with Professor Byrnes to obtain approval of their Athesis@ topic: the thesis I course requires students to construct an introduction of the topic and a scope note in the Legal Pathfinder that the student creates for the course. The introduction and scope note must be submitted to Smarthinking.com.

By integrating modules on research skills and methodology, using both synchronous and asynchronous components and the inclusion of writing support by restructuring the Thesis course into two separate components students in the program are given the opportunity to master the skill set necessary to effectively complete the scholarly legal writing requirement.

The challenge for legal educators is ride the wave of the paradigm shift in education. (Frick, 1991). By incorporating Internet and Web-based communication technologies into the thesis requirement was an opportunity to incorporate the benefits that have been shown to exist in computer-mediated communication (CMC) to more effectively teach the skills needed to move forward in the thesis. The fact that writing is the primary method of communication in the LL.M. program supports the other courses in the program. The need for formal concise writing in online chat and online assignments can be coupled with online support to provide a way for the thesis students to learn the underlying skills of lawyers - writing effectively.

At the end of the course the student in the class will be surveyed to determine how effective an online writing lab, that is outsourced but supports the mission of the law school is in teaching students basic skills that they need to succeed in the practice of law. The hope is that this experiment in using an a company to provide writing skills for student in a LL.M. program can be duplicated at the J.D. level.

## References

Lewis, L., Snow, K., Farris, E., Levin, D., Greene, B. (1999). Distance education at postsecondary education institutions: 1997-98 (NCES 2000-013) Washington, DC: National Center for Educational Statistics. U.S. Department of Education. Office of Educational Research and Improvement.