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Online Simulations for Teaching Professional Legal Skills

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Abstract: Experiential learning approach in legal education is a global influential trend. Legal clinics is one of the most obvious examples of including experiential learning approach into the educational curriculum for law students. The main educational value of legal clinics is a providing training opportunity for students to apply their legal knowledge and skills in professional simulations like role plays of interviewing, counselling, negotiations, mock trials (first instance hearing) and moot courts (appeal hearing). These type of training programs allow law students to test their ability to client-oriented and problem-solving. The Russian legal clinics community has been actively developing since the mid of 1990s for more than 30 years. More than 100 Law Schools over Russia have own legal clinics. Clinicians overview their experience and share this experience between clinicians community. At the same time only relevantly small part of law students have access to effective training of legal skills because of various reasons, but mostly because of relevantly small number of legal educators who use the experiential-learning approach. Transition of experiential-learning best practices into online format is a good tool of scaling the number of students who could be trained in legal skills significantly. The paper describes the collection of unsupervised online learning modules devoted to legal skills, including case strategy, interviewing, counselling, legal writing and trial skills. These unsupervised online learning modules are developed based on modern instructional approaches to developing of online educational courses. The piloting of the unsupervised online learning modules demonstrates that these modules might be used as

a supplementary educational tool and as a part of main educational curriculum for law students.

Keywords: experiential learning approach; legal skills; professional simulations; MOOC

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I. Introduction

Legal education has traditionally been built around knowledge transfer. Most of the approaches to the legal educational programs in Russia were laid down in the Soviet era, although they were revised in connection with the numerous reforms in education over the past 20 years. According to the study by the Institute of Rule of Law (Moiseeva, 2018, p. 5), “Two main topics [discussions in the professional community] are the surplus of lawyers who graduated from distant-learning programs, and the lack of highly-skilled legal personnel” (Moiseeva, 2018, p. 28). In addition, the research states that “now it is not difficult to obtain a law degree and the law degree does not say anything about the level of qualifications of a lawyer. [...] The task of law schools should be not only to provide knowledge of laws, but also to develop professional values. When every other university gives legal education, and many of them are not specialized [in law],

it is difficult to say that they develop general professional and ethical standards of legal activity.” Therefore, it can be argued that modern legal education in Russia does not teach the skills and values that are essential for professional activity. The knowledge provided is often insufficient, sometimes outdated and does not correspond to the recent legal practice, and this is well-known among the professional community (Moiseeva, 2017, p. 68).

II. Legal Clinics and Experiential Learning Approach in Legal Education

Taking into account the research on legal education conducted by the Carnegie Endowment back in 2007 (Sullivan, 2007, p. 8) professionalization of a lawyer includes knowledge (functional knowledge), skills and values that a lawyer should be able to apply to solve a client’s problem, to provide grounds for his or her decisions taking into account the rules of professional conduct.

Professional skills of a lawyer can be considered as implicit knowledge that is poorly transmitted directly (Yasvin, 2020). But they can be learned through experience under the guidance of a qualified lawyer or legal educator. Currently, professional skills include the following:

- case development and case strategy,
- interviewing the client,
- counseling the client,
- legal writing,
- opening statement,
- presentation of evidence in court,
- judicial interrogation,
- closing arguments.

These skills are based on soft skills, but have their own perspectives in relation to the professional activity of a lawyer. For example, case development is founded on soft skills such as critical thinking, problem-solving and decision making; both oral and written communication skills are key to interviewing, counseling, legal technique, litigation and court interrogation skills.

Teaching professional skills through training and gaining professional experience under the guidance of a qualified lawyer is called “legal clinic” (Gutnikov, 2008). In Russia, legal clinics began to develop in 1996. For 25 years, legal clinics have been established in most law schools in the country, including leading universities such as Moscow State University, Kutafin Moscow State Law University, St. Petersburg State University, Ural State Law University and many others. When the legal clinics’ creation was officially established,¹ clinics began to be founded in the universities that lacked educators who were trained to conduct practical legal skills’ training. Therefore, the internal structure of legal clinics in universities can vary significantly. So, the work of students in legal clinics can be credited as a compulsory or elective course, or internship, but it can also be an extra-curricular activity for students. In addition, in a number of universities, legal clinics include mandatory preliminary training and only after that it includes meetings with real clients under the guidance of a professor. But many legal clinics work only as a public reception office, and students do not have access to preliminary training and start working with clients without prior practical skills training. Hence, only a relatively small number of law students have access to practical legal skills training during their undergraduate studies.

In 2011, the Center for the Development of Legal Clinics (hereinafter referred to as the *Center*) was founded.² The main purpose of the Center is to promote the ideas of teaching professional skills, as well as to develop guidelines for educators on how to teach professional skills and train educators in practical teaching approaches that are used for teaching professional skills. During last 10 years the Center has created an informal educational environment that includes following elements:

- a community of educators of legal clinics, professional lawyers who share an experiential learning approach in training lawyers,

¹ Order of the Ministry of Education and Science of the Russian Federation of November 28, 2012, No 994 “On Approval of the Procedure for the creation of legal clinics by educational institutions of higher professional education and the procedure for their operation within the framework of the non-state system of free legal aid.”

² The Center of Development of Legal Clinics website: www.codlc.com (In Russ.).

- experiential-learning guidance to teach practical legal skills, including descriptions of the skills themselves, curricula for teaching skills, as well as a set of cases that are used in training,

- an annual agenda of events for students and legal educators, which provide exchange of experience, practical training for students and educators, creating horizontal links between students and educators.

Such events include:

- an annual conference on experiential-learning legal training for educators of legal clinics, the purpose of which is to exchange the experience of educators and promote the most effective teaching methods in a legal clinic and its organization in the educational process (from 100 to 200 participants),

- “School of Clinicians” – 3–4 days full-time training (50–70 students),

- “Competition on Students’ Practical Legal Skills” that has been held for several years in two stages: regional and national.

When additional funding is available, the Center also conducts field training for students and educators, and conducts thematic projects on topics. For example, together with the Office of the United Nations High Commissioner for Refugees in Russia, a project was implemented to develop special clinics to help refugees and internally displaced persons.

Also, since 2012, the Center, together with other partners has been organizing two student schools annually – Summer and Winter Schools – the purpose of which is to develop the professional skills of lawyers, as well as to familiarize students with current legal topics that are not included in the main curriculum of universities, for example, alternative methods of conflict resolution or compliance requirements.

Several times the community of legal clinics educators and legal professionals has summarized the experience of training in professional skills and developed guidelines for trainers of professional skills of a lawyer (Bulakova et al., 2006; Voskobitova et al., 2009; Sarker, 2014; Abrosimova et al., 2015). The last publication was made in 2015 – a manual “Legal Clinic – Education Based on Practical Experience.” The manual consists of two parts, the first of which is devoted to the description of the professional skills of a lawyer, and the second constitutes a collection of teaching materials, such as lesson

plans, a selection of cases on various topics, and materials for business simulation games. This manual was published in both paper and electronic versions, both versions of the tutorial including electronic applications that allowed teachers to use the teaching materials in their teaching practice.

III. Online Learning Platform for Developing of Professional Legal Skills

Despite all activities of the Center of the Development of Legal Clinics, the existing educational environment does not fully meet the need for high-quality training on practical skills for law students. The number of educators who can use experiential-learning teaching methods is relatively small, not all universities have appropriate legal skills courses. The activities of legal clinics in many universities are carried out on a volunteer basis. Additional events for students held by the Center for the Development of Legal Clinics and others several times a year, are designed for a limited number of participants and cannot provide training for everyone who wants to get it. Due to the existing objective reasons, a significant scaling of teaching practical skills cannot be carried out in full-time format.

Therefore, the Center of the Development of Legal Clinics with the support of ABA ROLI created the online educational platform available at online.codolc.com (the Platform). The Platform is developed on the MOODLE platform. The purpose of creating an educational platform is to scale access to high-quality educational content for law students from different regions of Russia. By May 1, 2021, more than 25 different online courses have been posted on the platform, both informational and experiential-learning — simulation courses. They are currently free to users and open to self-enrollment, with the exception of some courses that are available only for specifically created groups. Those courses have a blended format that includes studying of distance-learning modules and webinars with experts.

The idea of developing an educational platform was based on the book “Theory and Practice of Online Learning (Anderson and Elloumi, 2004). In particular, the platform development was aimed to ensure

that all the necessary materials were placed in one frame, which would ensure its application in an asynchronous way. Asynchronous learning would also involve engaging students through the use of a case-study approach, as well as simulations of legal work.

Also, the author took into account the SSDL model created by Gerald Grow (Grow, 1991). Hence, the non-supervised online courses on practical skills are more focused on the first two levels of learners' development – 1) a depending learner and 2) motivated learner, although they could be used as well for 3) involved learner and 4) self-regulated learner. The main purpose of the non-supervised online courses on practical skills is to prepare and to engaged any learner before the face-to-face training. Thus, detailed instructions are included into the courses to allow any learner to navigate smoothly in the courses. The usage of the same format in all courses ensures that the learner's actions are understandable, both technically and substantively. Simulation courses include many involving activities for the motivated learner that keep the learner interested and focused.

The next approach examined by the author covers the hyutogothic approach (Ignatovich, 2013; Hase and Kenyon, 2001). An emphasis was placed on the internal motivation of students, since external motivation can only be an additional element when using the courses.

Thus, the non-supervised courses on practical legal skills are addressed to the scaling up the number of training on practical legal skills and contribute to:

- a) providing an idea of professional skills among students who do not have access to in-person skills training,
- b) more effective developing of professional skills of students who have access to in-person training, since students could become familiar with the basic approaches in advance,
- c) distribution of effective teaching materials among educators who can use them to ensure students' independent work.

To achieve these goals, the educational design of professional legal skills courses was built to ensure the constant involvement of students and their inclusion into mock practice.

The methodology of face-to-face trainings for lawyers is based on an experiential-learning approach (Grow, 1991) that involves 1) gaining

one's own experience, 2) self-observation and self-reflection, during which the students reflect what they have just learned, 3) conceptual comprehension of new knowledge, their theoretical generalization, and, finally, 4) experimental verification of new knowledge and its independent application in practice. This approach provides immersion in the direct activity of a lawyer using hypothetical situations (Abrosimova et al., 2015).

IV. Simulations as a Teaching Method

There are two main methods that are used in teaching practical skills of a lawyer:

- case-studies that allow the law students to actualize seriousness analytical skills of a lawyer through solving problems,
- simulation of certain types of legal activities, for example, meetings with a client, negotiations, participation in a trial or participation in certain stages of a trial.

Conducting professional skills' legal training, case-studies and simulations can be used complementary to each other. Thus, case-studies based on various hypothetical fact-patterns help a lawyer develop their analytical skills. Small simulations on practical legal skills based on simple case-studies help students practice various communication and trial skills. A bigger simulation based on only one hypothetical fact-pattern allows not only to work out practical legal skills, but also to show the inter-connection of skills. For example, the ability to conduct direct or cross examination in court effectively is based on the case development and case strategy. Therefore, the most effective training method is simulations — mock trials or moot courts.

Simulations ensure a higher level of motivation and involvement of all training participants, since the expected results and their applicability in professional activities are clear for the training participants. Litigation simulations are based on the mechanics of competition, which additionally ensure the involvement of participants. When it is necessary to solve specific professional tasks, albeit in a playful way, the assimilation of the new information is increased significantly. And the students are much more involved, since they are already focused on

why they need this information. Feedback provides its own reflection, as well as the correction of actions and understanding of new information, if necessary. This allows them to reflect the experience gained and conceptualize the knowledge to be ready to apply it in a new situation.

V. The Unified Frame of All Modules

The main task in the development of non-supervised online courses on practical legal skills is to fully preserve the experiential-learning approach that is used in in-person legal skills training. So, upon creation of non-supervised online courses the authors should ensure engagement, keep interactivity and feedback, and ensure the “complexity” of the educational material.

To achieve these goals the “frame” and the “core” of each of the courses should be thought out.

Developing non-supervised simulations was based on the availability of previously created teaching materials (Abrosimova et al., 2015), in particular: detailed description of professional skills, detailed teaching recommendations for professional skills learning, including a description of the expected results for students, hypothetical fact-patterns and attached documents or confidential information for the students.

An additional teaching advantage of simulation courses for law students is the existing requirements of the legislation and the well-established practice of providing legal assistance.

The “frame” of the courses was developed uniformly for all courses on the practical legal skills for online.codolc.com:

- 1) the structure of the courses has been determined, based on the list and sequence of application of the professional skills of a lawyer,
- 2) “end-to-end” history and style that ensure the coherence of all skill courses,
- 3) a unified communication style of virtual mentors with students and a feedback system,
- 4) main and additional hypothetical fact-patterns that can clearly demonstrate professional skills,

5) using the main and several additional authoring tools for content creation.

These components ensure the unity of all online simulations and a holistic perception of all educational materials.

Initially, all simulation courses on practical legal skills were planned as integral parts of one online course, but during the development of the online courses, it became obvious that a single course would be too long. Each particular simulation course is a complex training module for studying professional legal skills. Therefore, by the end, 12 courses were created that are sufficient for developing professional legal skills. They are all united by the single hypothetical fact-pattern that needs to be resolved, with the exception of the first online simulation course, where the introductory hypothetical fact-pattern was used. This approach has shown its effectiveness, since the “completion” for each individual course is more than 70 %, which is described in more detail below.

VI. Modules’ Description

The structure and sequence of online simulation courses was determined by the list and sequence of the lawyer’s professional skills application described in the manual “Legal Clinic — Education Based on Practical Experience.” Thus, the professional legal skills are divided into two main parts: the counseling skills of a lawyer and the trial skills of a lawyer. The counseling legal skills include those that are necessary in order to interact with the principal and analyze the circumstances of the hypothetical fact-patterns. Litigation skills include the skills required to effectively interact with the court. This structure and consistency has been carried over to the online format.³

In the course of developing the structure of the courses it became clear that it was necessary to supplement the list of courses with several more online courses in comparison with the in-person training. It was made to ensure the consistency of simulation to avoid unclarity for students. These simulation courses include Module 3 “Case Strategy,” Module 4 “Analysis of Evidence,” Module 7 “Preparation for the

³ The list of the courses is available at online.codolc.com.

Preliminary Hearing,” and Module 8 “Preliminary Hearing.” According to the experience of in-person students’ schools on professional skills it is especially difficult for students to understand the analytical legal skills, as well as how exactly the court interacts with the parties after it has been decided that the trial will take place, but before the trial starts. Additional simulation courses show the continuity of a lawyer’s work on a case and methodically ensure the consistency and continuity of the simulation courses, reflecting the reality of a lawyer’s work.

Thus, the structure of the simulation courses demonstrates all kinds of activities of a lawyer on a civil case, from the first meeting with the client and clarifying the legal issue to resolving the case in court on the merits and delivering a court decision. Only the first course of all listed is introductory and based on another fact-pattern. It introduces the format of the simulation, virtual mentors and a general approach to case development.

A cross-cutting hypothetical fact-pattern is about the first civil case of the lawyer who just started. He or she meets law firm partners, who are the mentors, and does different tasks in different locations such as mentors’ offices, meeting rooms, or an office-desk. A cross-cutting hypothetical fact-pattern that unites all courses was chosen based on the experience of numerous face-to-face training sessions. Students tend to have difficulty in case development. An only hypothetical fact-pattern provides an opportunity to demonstrate the coherence of all professional legal skills at every stage of the work on the case. The connectivity of all online simulation courses is provided by tools such as virtual mentors and repeating virtual locations.

The simulation courses use images of active participants (*e.g.*, Arkady, Tatiana, Maxim, Ekaterina) in the legal clinics’ community recognizable for students who have taken part in the activities of the Center for the Development of Legal Clinics. Therefore, the images of mentors can be called as a tool for simulations’ gamification — “Hidden Easter eggs” — recognizable images demonstrate to the student that they belong to the community. Moreover, each practical legal skill’s simulation course uses the names of mentors to create dynamics of movement between different offices in the office and interaction with

mentors, such as *Arkady's Office*, *Tatiana's Office*, *Maxim's Office*, *Ekaterina's Office*, *Office-Desk*, *Meeting Room*.

Trial simulation courses use stylized slides to create the “atmosphere” of a trial with virtual characters. It also uses “Hidden Easter eggs” — a reference to American or English court dramas: in countries of the common law system, filming in the courtroom is prohibited, and sketching of the main characters is common. In addition, in simulation courses on trial skills, there is a virtual judge who reacts in a “typical” way to the actions of the trial participants, which additionally immerses the student in the reality of the trial.

The uniform style of all simulation courses makes it possible to keep the interest in learning throughout the modules, but at the same time gives the student the freedom to stop and start over. At the same time, the same hypothetical fact-pattern makes it easier to enter and navigate any simulation module.

The unified communication style of virtual mentors consists of several methodological techniques based on the “solving-problem” approach. Thus, in each course

- an educational practical task is based on the developing situation,
- sequentially and in parts, the necessary information is provided to solve the case — theoretical, legislative, additional information on the case,
- after each “presentation” part, questions are included to test knowledge and understanding of new information with mandatory instant detailed feedback,
- also, in each training module of the courses, the actual practical part is included, which is accompanied by the instant detailed feedback explaining the legal and practical grounds for the right or wrong choice, in some courses it is also accompanied by the links to legislation or additional documents.

The unity of courses is also underlined by the utilizing of one main authoring tool — the H5P column, which allows making internal algorithms of each simulation course, a link to external sources of information, combine presentations with question sets, and embed videos or *Learning.Apps* elements. Also, the simulation courses actively use dialogue simulators to demonstrate communication skills.

Another aspect that ensures the unity of all simulation courses is the hypothetical fact-pattern, that is, a provided legal issues for practical tasks. This aspect is best revealed when describing the “core” of each of the courses. The work under the “case” should be attributed to the “core” of the simulation courses, since it constitutes the main educational value of the simulation courses. Based on Benjamin Bloom’s taxonomy, it can be said that the online courses are developed with the following aims:

- to consolidate knowledge about the structure of each practical legal skill and the system of practical legal skills,
- to highlight the most important aspects of each practical legal skills at each stage of work on the case,
- demonstrate the application of practical legal skills in a mock situation.

Thus, non-supervised online simulation courses could be able to solve the problem of preparing students to face-to-face training and entry into independent professional work.

Two hypothetical fact-patterns were selected for the online simulation on practical legal skills. The first hypothetical fact-pattern is introductory and is aimed to demonstrate the case development and case strategy, to underline and to ensure the coherence of all legal work from the first meeting with the client to the litigation. The second and main hypothetical fact-patterns is aimed to demonstrate all stages of work under a civil case.

The degree of elaboration and details of fact-patterns for face-to-face training on professional skills and for online simulation courses on professional skills is significantly different. In the case of face-to-face training a package of documents and confidential information for the participants are shorter, and the results of the solving the case-studies directly depend on the actions of the participants at the training. Therefore, it is possible to predict the development of the situation at the training within the limits of several possible scenarios. In this regard, one of the main skills of the educator at face-to-face training is to provide feedback, depending on the development of the situation, which should be reflective and teaching. This approach is impossible to implement in non-supervised online simulation courses.

On the contrary, the use of case-studies in non-supervised online simulation courses presupposes a detailed “scenario” prescription of the development of the situation. This approach imposes certain requirements on the selection of those cases that can be used. First, the fact-pattern should include only a few facts and only a few documents (evidence) to work on the case-study. Second, the legal issue should be resolved on the several clear sources of law well-known and accessible to students, for example, the Civil Code. Third, the fact-pattern should be decided on the basis of a clear theoretical approach to the case development and facts. Fourth, it is necessary to think in detail about the legal development of the case, limit the potential number of options, develop in detail the most likely options for professional choices that need to resolve the case-study and their validity, including the case-statement of the opposite side, as well as the advantages of the main option and the disadvantages of other options. The civil tort claim fits all mentioned criteria of an “efficient case-study,” like property or personal damage claims. Because of this the fact-pattern of the case-study is about the leakage in the apartment. The facts of this case-study are clear and can be summarized briefly.

In **Module 3 “Case Strategy”** all the necessary information to work on the case-study is organized together to demonstrate clearly its inter-connection. For this purposes the *Accordion* tool from *H5P* is used. Thus, the student immediately gets access to a description of the facts, a list of evidence and necessary documents, and to the applicable legislation. Students also get access to theoretical conceptions on how to analyze arisen legal issues.

Each of the simulation courses provides an opportunity to receive knowledge on a separate stage of work on a civil case in a “slow” pace, allowing the student to focus on important components of a lawyer’s work at each separate stage.

Module 1 “Case Development” is an introduction, and its main aim is to clarify the principles of legal thinking. It involves three types of “incoming information” about the circumstances of the client, his/her goals, as well as with existing regulations that can potentially regulate these particular circumstances. Moreover, a lawyer should

transform this information through his analytical activity into a case-statement, including a description of legally important circumstances, legal grounds and legal claims.

Mastering analytical skills is the greatest challenge for law students, despite the fact that this is the main professional activity. Law students are often not taught the ways to apply the law and are not capable in those analytical operations that need to be done in order to compare a specific rule with facts and make a legal conclusion. That is why this course starts all legal skills simulation courses. After this course, the student should have an understanding of what information is needed for a lawyer to work on a case, and, accordingly, what the client should be asked about at the meeting, and how to work with this information further.

Module 2 “Meeting a Client and Interviewing” is focused on the skill to gain information from the potential client in order to be able to draw a conclusion whether there are grounds for a legal decision.

An interviewing skill is usually given a lot of attention in training. Although training often focuses on the psychological component of the first communication, for example, on how to create a comfortable and trusting environment for the client. Because of that, it is often difficult for learners to master the other mandatory skill: asking the questions about information that a lawyer needs to counsel. Therefore, the course provides information on the stages of interviewing, the types of questions appropriate to ask, and in this way the course demonstrates a “sample” of the conversation during the first meeting with the client in the format of a dialogue simulator, with an analysis of the typical mistakes of beginners. The course ends with a training task on how to summarize the information received in order to work with this information further in the simulation courses.

The purpose of the third simulation course **Module 3 “Case Strategy”** is to demonstrate analysis of facts and law and those professional choices that usually arise. In particular, the course demonstrates the approach to the legal analysis of a civil law tort according to the course plan.

In the course of work on the proposed fact patterns, students should analyze the patterns and applicable law. To do this, students should consistently answer a chain of questions based on the text of the applicable legal provision, taking into account the distribution of the burden of proof in such cases. Therefore, first students should analyze the mock-documents, the story of the client and decide what kind of claims are in question. Then students should think about who could be a potential defendant, taking into account the available evidence. There are two options to answer this question, so the next step is considering the advantages and disadvantages of both to prepare a client statement for discussion with the client of these two options, as required by rules of professional conduct. Both legal statements are summarized on the slide:

The fourth simulation course **Module 4 “Analysis of Evidence”** is also devoted to analytical skills that are not usually given enough attention in face-to-face training, since it is assumed that the topic of evidence is sufficiently well studied within the framework of procedural law courses. But in practice, theoretical knowledge is not always easy to apply in the framework of a specific case, it is for this that this course demonstrates in detail how a practicing lawyer analyzes evidence, selects the most “strong” and “weak” evidence, works out the possibilities to neutralize the shortcomings of his own evidence, and the possibility of exploiting the lack of evidence of the opposite side.

The result of work on this online simulation course is the demonstration which particular case strategy is the most promising. To make a conclusion the student evaluates each of the available documents according to several formal and informal criteria. The understanding and skill of applying these criteria are the expected learning outcomes of this course.

The fifth online simulation course **Module 5 “Counseling”** demonstrates the skill of a lawyer to provide professional advice. In this course, not only the stages and methods of consulting are given, but also important rules of professional conduct of a lawyer are emphasized. Particularly, the course underlines the client-oriented approach that means that only the client decides whether and what legal actions should be taken.

Knowledge and understanding of the steps and peculiarities of counseling meetings is demonstrated by a dialogue simulator, in which the student receives detailed explanations on how to talk with a client and explain legal perspectives of the claim.

The sixth simulation course **Module 6 “Drafting a Claim (Legal Writing and Legal Design)”** is aimed at teaching how to write a claim, taking into account the formal and informal requirements, as well as the necessary content of this adversarial submission. Thus, in the training modules of this course, the presentation, practical task and the result of their work are most clearly “linked” to each other, which is provided in the form of a ready-made part of the statement of claim. Below is an example of such a task for preparing the descriptive and motivating part of the statement of claim, as well as the corresponding part of the statement of claim, which students can download.

As mentioned above, the further online simulation courses **Module 7 “Preparation for the Preliminary Hearing”** and **Module 8 “Preliminary Hearing”** are focused more on a consistency of the simulation, they demonstrate the “routine” of the professional life of a trial lawyer, which usually remains outside the scope of attention of the in-person professional training programs, and usually is mastered by lawyers in practice.

Module 7 “Preparation for the Preliminary Hearing” demonstrates what lawyer should do after filing a legal claim to the court.

Also, this simulation course is aimed at demonstrating the skill of preparing procedural motions to the court. Since the legal writing requirements for making any written submission to the courts are similar, the bulk of the information on how exactly to write submissions was given in the previous Module. At the same time, there are specific requirements that apply to motions, and these requirements are the focus of the course. In this simulation course the additional tool called *Learning.Apps* was used to create exercises that demonstrate the correct way of informing the court on submitting motions to make it clear for the students how exactly they should do to ask the court for considering motions and why.

This course also has a built-in “entertainment” element that allows students to relax a little bit after previous intensive learning experience and before subsequent ones. The Learning.Apps element teaches to choose appropriate clothes for the court in order to meet the formal and informal requirements of the legal community.

The main focus in the next 8th simulation course is on the preliminary court hearing when procedural issues are discussed and considered by the court together with the parties. For example, is it necessary to call the witnesses for the hearing or is it necessary to provide any other evidence to the court? Despite the fact that the preliminary hearing is a technical step of the trial, participation in it causes serious difficulties for law students. Mostly because nobody explained to the students how exactly they should act during the procedural hearing in the course of their curriculum. Therefore, the main training module of this simulation course is a dialogue simulator that demonstrates a typical situation of a preliminary court hearing.

The last four non-supervised online simulation courses are devoted to the trial legal skills **“Opening Statements, Presentation of Document Evidence, Direct and Cross Examination, Closing Arguments.”**

These online simulation courses include two types of training modules:

- 1) introduction with the description of the purposes of a specific stage of the trial and tests to control the understanding, as well as information on how exactly the lawyer should prepare for this stage of the trial,
- 2) simulation with the demonstration to involve students into the “trial,” which includes not only the actual actions of the students, but also others.

This model is determined by the fact that the main educational purpose of these simulation courses is to provide students with an understanding of how the results of the analytical legal work such as case development, analyzing evidence, legal research and case strategy should be demonstrated to the court during the trial in order to convince the court.

Module 9 “Opening Statement” aims to clarify the purpose of the first stage of the trial and demonstrates how to prepare for the opening statement, and what exactly to say in the opening statement.

In the introductory training module, students can study a presentation on the topic, all the necessary training materials for the case, and take a quiz aimed to develop the open statement for the simulation trial.

The simulation training module demonstrates the relevant part of the court hearing, including all the communication between the judge and participants, so that the students have a clear idea of the appropriate order of actions of all participants at the beginning of the trial.

Module 10 “Presentation of Documents Evidence” has the same structure as the previous course: an introduction training module and a simulation training module.

The introduction training module provides a presentation, all the necessary training materials for this stage of work, and a quiz aimed to make a presentation of evidence and highlighting the information that should be “heard” in court, since everything that was not pronounced in court should not be taken into account in the court decision.

The simulation part demonstrates the trial procedure for examining written evidence and the order of the trial procedure.

Module 11 “Direct and Cross Examination” includes several explanatory modules and two simulations, namely: dialogue simulators. Direct and Cross Examination is one of the most difficult professional skills of a lawyer. The purpose of direct and cross examination is to provide the court with the information that the witness knows through consistent questioning. Moreover, the purposes of direct examination of “own” witness and cross-examination of “another party’s witness” differ significantly. The purposes of the direct examination are to demonstrate the information known to the witness and to confirm witness’s reliability. The purpose of cross examination of a “stranger” witness is, on the contrary, to question the credibility of this witness, to make him “unreliable.” Explanatory training modules present

information on direct and cross-examination, as well as the specific tools of asking questions and preparing witnesses.

In addition, explanatory training modules include several tasks with the aim to prepare the chain of questions to the direct and cross examination for the simulation trial. For example, students could use a specific tool — a spreadsheet with the navigating questions that might help them to prepare a list of questions for the witness. In the explanation training modules students should draw up a detailed plan for each of the interrogations that are further implemented in dialogue simulators.

The last **12th Module “Closing Arguments”** is devoted to the final stage of the trial. Therefore, it includes not only information about the closing arguments, but also summarizes the results on all 12 courses in the form of the conclusions of a court decision on a civil claim that is made in favor of the student’s virtual client. The simulation course uses the same approach as others and includes explanatory and simulation training modules.

The explanatory module provides information on the purpose of the closing arguments, the advice on the structure, and the quiz on peculiarities of the closing arguments.

The simulation module demonstrates the sample closing arguments. There are no specific tools for non-supervised online courses that allow students to develop their own text that might be supervised by the online platform without experts’ participation. Demonstration as a technique is actively used as well during the in-person training of trial skills. In online simulation on Closing Arguments is also used another educational technique: comments of the virtual mentor to underline important information on the structure and content of the closing arguments. In addition, students can download the closing argument and save it on their computer.

In the very last element of this training module, the trainees could see the conclusion part of the court decision.

Thus, the 12 non-supervised online simulation courses on practical legal skills consistently demonstrate and train all relevant legal skills to work on a civil claim. They are addressed to:

- consolidate the knowledge about the structure of practical legal skills and the system of practical skills,
- provide an understanding of how skills are interconnected with each other,
- demonstrate the application of professional skills in a practical situation.

The online simulation courses are designed in a unified methodological solving-problem approach, which involves a specific fact pattern and case-study approach. The online simulation courses include all the necessary documents and legislation to solve this case study. And students could get immediate feedback with the reasoning for the appropriate and inappropriate choices.

Courses are designed in a unified style and in one main and several additional educational online tools.

All courses taken together are a full-fledged simulation of work on a civil claim from the first meeting with the client to a decision on the court on the submitted claim. At the same time, each of the online simulation courses might be used independently, depending on the needs of the student or the task of the educator.

VII. Piloting of the Modules

As of May 1, 2021, the online.codolc.com educational platform was available to students for 11 months from June 2020. During this period, more than 2,250 unique users signed up for the platform. The platform is non-commercial, the dissemination of information about it is limited to the distribution of information on social networks and information during the face-to-face events of the Center for the Development of Legal Clinics. Considering these factors, we can say that courses on the platform are attractive to users.

12 non-supervised online simulation courses on practical legal skills are created as MOOCs — massive open online courses, which are available for anyone who wants to sign in. Therefore, it is hard to control who starts the online simulation courses, but according to the platform's statistics, it is possible to track how many students start them and how many of them complete the online simulation courses.

So, as of May 1, 2021, the data on the completion of the courses were as follows:

Title of the simulation course	Number of students who started the course	Number of students who completed the course	% of completion the course
Case Development	253	196	77.5
Meeting a Client and Interviewing	492	378	77
Case Strategy	188	164	87
Analysis of Evidence	165	123	74
Counseling	115	90	78
Drafting a Claim (Legal Writing and Legal Design)	148	122	82
Preparation for the Preliminary Hearing	49	42	86
Preliminary Hearing	42	40	95
Opening Statement	38	35	92
Presentation of Documents Evidence	38	36	95
Direct and Cross Examination	47	38	80
Closing Arguments	38	37	97

Thus, the level of completion for each of the simulation courses is above 70 percent, and for some courses, it reaches 95 percent.

It should be noted that in one month from April 1, 2021 to May 1, 2021, the number of participants in all courses, with the exception of the course on Case Development, increased significantly, which is associated with the annual Competition on practical legal skills held by the Center for the Development of Legal Clinics. The Center advised participants of the Competition the online simulation courses as a useful resource for preparing for the Competition, but taking them was not a prerequisite for participating in the Competition. Nevertheless, even a simple recommendation leads to significant increases in the number of students over the past month.

Hence, the number of participants from April 1 to May 1, 2021 increased as follows:

Title of the simulation course	Number of students who started the course	Number of students who completed the course
Case Development	253	196
Meeting a Client and Interviewing	337–492	273–378
Case Strategy	90–188	77–164
Analysis of Evidence	86–165	69–123
Counseling	59–115	51–90
Drafting a Claim (Legal Writing and Legal Design)	119–148	101–122
Preparation for the Preliminary Hearing	35–49	31–42
Preliminary Hearing	29–42	28–40
Opening Statement	27–38	23–35
Presentation of Documents Evidence	27–38	25–36
Direct and Cross Examination	30–47	26–38
Closing Arguments	28–38	27–37

These sheets also show the focus of trainees who are more likely to take courses on communication legal skills, which are more relevant to them, since students in legal clinics most often use these skills. In addition, legal clinic educators are also mainly focused on teaching these skills. And the Competition on practical legal skills is focused specifically on these skills.

The use of trial skills by students is limited by law, since it is possible to represent interests in court only with a diploma in legal education, and therefore students consider these skills in a more abstract way. This may explain the smaller number of participants in the courses on trial skills. But it should also be kept in mind that courses on trial skills became available to students only on January 15, 2021.

The recommendation to take courses before the annual Competition is one example of the inclusion of online simulation courses in the educational environment for teaching the professional skills of a lawyer. So far, it is difficult to say that there is a direct connection between the completion of online courses and the level of legal skills of students who participate in the Competition. But from the experience of other projects that used distance learning modules and face-to-face training, it can be assumed that those students who pre-take online simulation courses will be more successful during face-to-face activities, and later in their professional practice.

Below there are several reviews of students on the online simulation courses.

Review after completing of all 12 non-supervised online courses:

“In general, I am absolutely delighted! I did all 12 courses with great pleasure, studied, copied everything to myself — very, very useful material. And it is convenient, understandable, interesting and not boring to go through everything. It is especially impressive that you immediately receive comments on the correctness or incorrectness of the chosen course of action, as well as the general systematic nature of the presentation of material and tasks. In addition, the most important thing is that a clear algorithm of your actions as a future (or potential) lawyer is formed in your head. Well, and, importantly, you clearly understand and realize those moments where you have gaps or lack of theoretical knowledge. In general, a huge thank you for the impressive, extremely useful work!!!”

Feedback on the course “**Drafting a Claim (Legal Writing and Legal Design)**”:

“A very good course, thanks, everything is clear. I realized that when I participated in the moot court and wrote the statement of claim, I made several mistakes, thanks to your course I understood which ones.”

Feedback on the course “**Preparation for the Preliminary Hearing**”:

“The course is good and will greatly help law students with no experience. For those who already have work experience, it will be rather a way to consolidate and refresh knowledge.”

Feedback on the course “**Preliminary Hearing**”:

“In general, the course is very useful for a novice lawyer, since it is the understanding of the procedure in court that usually causes difficulties.”

Thus, at this stage, it can be argued that the courses meet the request of their target audience — law students — for their training in the professional legal skills. It is possible to say with confidence no sooner than two years from now how much the use of non-supervised online simulation courses on practical skills is reflected in the level of mastering professional skills by law students. During this period, the existing 12 online simulation courses on practical legal skills could be included as a preliminary element of several regular face-to-face events of the Center for the Development of Legal Clinics. Over a longer period of time, it will be possible to track the performance of students at the face-to-face events of the Center for the Development of Legal Clinics and link their level with the completion of the non-supervised online simulation courses.

VIII. Conclusion

It should be noted that courses on the practical skills of a lawyer, like other courses posted on the platform, arouse the interest of legal educators as a convenient, interesting teaching material that legal educators can use in their teaching practice in various ways. The online simulation courses could be used in a flipped class format, meaning that students first could do the online simulation courses and to get information about the particular legal skills by themselves before a class. Students had to confirm the completion of the courses with screenshots from their personal accounts in order for them to be credited. And then students could master their knowledge on practical legal skills during face-to-face classes.

Taking into account the relatively small experience of using 12 non-supervised online simulation courses on the practical skills of a lawyer, it is possible to say that the created online simulation courses could contribute to the following purposes:

a) forming an understanding of professional legal skills for students who do not have access to face-to-face legal skills training,

b) more effective mastering of professional skills by students who have access to face-to-face training, since students will already be familiar with the basic approaches in advance,

c) distribution of effective ready-made teaching materials among educators, who can use them to ensure independent work of students.

Developing non-supervised online simulation courses significantly differs from organizing face-to-face programs. The difference lies in the fact that non-supervised online courses require significantly more attention to details and materials' "complexity." In most cases, it is necessary to provide theoretical material and case studies in a non-linear manner to demonstrate immediately how to apply theoretical conceptions to the hypothetical fact-patterns. Questions for quizzes and practical tasks should be very carefully worded to avoid misunderstanding or double meaning. As well, the automatic feedback should be explanatory and clear to the students.

The author opines that the best usage of the online simulation courses on practical legal skills is to combine them with the face-to-face training under the well-trained legal educators' supervision.

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