



Utilizing Case Studies to Teach Communication in Law

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ABSTRACT

The role of communication in legal education is crucial, yet traditional curricula often underemphasize its practical application. As the complexity of mass communication and legal interaction grows, there is a pressing need for innovative teaching methods that better prepare students for real-world legal practice. This paper examines the integration of case studies into the teaching of communication law, highlighting their effectiveness in developing students' analytical, persuasive, oral advocacy, negotiation, and client communication skills. The study discusses the selection of relevant case studies, methods for classroom implementation, and strategies for assessing communication competencies. Through case studies, students engage with real-world scenarios, fostering critical thinking, creativity, and collaboration. Incorporating this pedagogical approach can enrich students' understanding of legal communication and better equip them for professional challenges in diverse legal contexts.

Keywords: Communication in Law, Case Study Methodology, Legal Education, Oral Advocacy, Legal Writing, Negotiation Skills, Client Communication.

INTRODUCTION

The teaching of communication and mass media law has gained attention, yet there's little debate on its curriculum inclusion. Communication department chairs and educators agree students should learn communication law as part of their undergraduate education. Given the increasing complexity of mass communication law, students must understand its nature, purpose, and application. This paper explores how to effectively teach communication law to undergraduates, aiming to equip them for future careers as journalists and mass communicators. The focus on communication law in academia is relatively new. While journalism law has been widely discussed, it remains underrepresented in curricula. A study revealed that only about one-third of journalism and mass communication departments offer courses on communication law, with some departments lacking any such offerings despite their importance. Most journalism students today have encountered the First Amendment and its freedoms, but very few have learned about the intricacies of libel laws or how the legal landscape has shaped mass communication history [1, 2].

The Importance of Communication Skills

Effective communication in the legal profession is vital to success, as clients must comprehend the law and lawyers' recommendations. Lawyers need to present their cases convincingly in both written and oral formats, requiring complex problem-solving communication skills in addition to their formal legal training. In many Eastern European countries, law students often learn to write formal documents like legal opinions and contracts but receive little training on persuasive expression. While they may master written legal English before their first job, many struggle with oral communication in front of clients or courts shortly after beginning their careers. To address this gap, incorporating case studies in legal education can enhance communication skills. These case studies allow lawyers to practice and receive feedback on their communicative acts, helping novices prepare for real-life interactions. A legal or business case study presents students with scenarios requiring them to work through problems as in real life. Communication case studies can offer transcripts of interactions for students to analyze, critique, or solve, fostering persuasive argument skills. Students initially analyze the case individually, documenting their insights before presenting in groups. This collaborative approach culminates in a consensual analysis and argument. Such methods foster cognitive growth in creative and analytical thinking while

enhancing awareness of problem understanding and argument construction. Group work also develops personal interaction skills, such as turn-taking and maintaining focus. This paper introduces a model for analyzing and preparing persuasive arguments, emphasizing content, structure, and communicative acts [3, 4].

Overview Of Case Study Methodology

Understanding the method. While the use of case studies as a pedagogical technique is often taken for granted, it is rarely understood in any sophistication. Notably complex yet simple in coherence, the method can be both exhilarating and frustrating. It is presented in the following pages to provide the instructor with an overview of how this flexible and powerful teaching technique provides an environment for students to interactively apply knowledge, hone their decision-making skills, and articulate their judgments with rigor and clarity. A rationale for the use of case studies. One critical objective of higher education is to provide a series of environments for thinking and reflection which students will internalize, so that later in life they will go through a process of conscious or subconscious decision-making patterns. Case studies are one technique which can be used to provide a complex scenario containing important dilemmas and issues for investigation. In the case study method, students are first introduced to the case that has to be analyzed. A good case typically provides thorough and detailed background information and incorporates both social realities and a request for actions or decisions to be undertaken. Students are then required to read the case beforehand, analyze the information from a critical perspective, and identify the problems or dilemmas which need to be dealt with. Preparation of the case. The construction of the case study depends on the focus and objectives of the problem or course in question. Not only should the case use the detailed writing style typical of journalistic reporting, but also it must contain clear guidelines for multiple responses as well as distinct teaching and learning objectives. Such a pre-condition of cases is especially important since flexible scenarios require more complex structures of deliberation and discussion procedures from both teachers and students. Moreover, case studies may also be dealt with as exercises, which are typically shorter, fictional settings designed to challenge students; however, since it is believed that case studies are more conducive to achieving objectives than exercises, the former are recommended [5, 6].

Selecting Relevant Case Studies

Selecting relevant case studies can be the first step in the process of teaching communication in law. Most likely if cases that are not interesting or relevant to students are chosen, the students will not enjoy these activities. So it is essential to try to find arguments and cases that have some sort of impact on a younger audience. Initial advice would be to look for recent events that have received attention in the media. The situation does not always have to be recent. Studies have shown that students tend to be interested in classic court cases as long as they can be told in an interesting way and the subject matter involves touching points that students consider sufficiently exciting. In addition, like any other discussion, it is important to know the audience of students. Awareness of cultural differences background of the students often determines the way of approaching certain questions. In the same manner, it can also influence the choice of specific case studies utilized in teaching communication in law. When formulating the case description, it is also important to consider the form in which the case is presented to the students. Dividing the case description into several short parts is a possible alternative. After the presentation of each part, students can be asked questions regarding its content. For instance, the during-movie paused questions can be incorporated. Would introducing the use of video recordings and divided-stage presentation be advised? At least in its current form, social media and podcasting are not suggested. It is important for the instructor to be the point of contact during the case presentation to enhance the quality of the student experience. As mentioned before, knowing the audience is a major factor in educating students about communication in law. Group work in which students have separate opinions engaged students better than a big debate. A good situation is built by separating into smaller groups first since entering discussions is often easiest between friends, especially in cultures where openly disagreeing with authority is impolite [7, 8].

Integrating Case Studies into The Curriculum

Integrating case studies into the legal communication curriculum involves key elements such as defining their purpose, choosing appropriate studies, and designing analytical assignments. Tutorials may help students navigate industry jargon. Including case studies from various subjects can illustrate diverse career paths in law. While detailed integration aspects will be discussed, these recommendations should serve as a guiding framework rather than a strict process. The essential aim is to encourage students to think critically about communication's relevance to law. Case studies can fit easily into more traditional courses that use note-taking and discussions. Their use in both specialized and foundational legal courses

may enrich overall communication education. Selected case studies could be compiled with textbooks or online materials for easy sharing among instructors. Additionally, an open-source platform could foster collaboration among educators, allowing them to share case studies and instructional insights. Such collaboration reinforces the notion that legal communication relies on teamwork. Creating a shared repository of case studies could become a valuable resource that enhances legal communication teaching in various ways. Providing a list of journals and databases that publish case studies in law would also support instructors in their course development [9, 10].

Case Studies in Legal Writing

Law schools implement legal writing courses aimed at enhancing students' writing abilities by utilizing various trial and appellate court opinions. However, these courses often overlook the importance of encouraging students to closely read and analyze a single case in a detailed manner. Instead, students frequently submit essays that do not specifically reference the case at hand, resulting in responses that may seem similar and demonstrate a lack of clarity regarding the reasons for choosing to examine the same particular case. A significantly more effective approach would involve law students taking a well-known landmark case and assuming different roles or perspectives within that case, with the goal of collaboratively producing a well-structured appellate opinion. By creating summaries that are user-friendly and easily understandable of important appellate cases, students could benefit from engaging in team efforts. This collaboration could involve drafting various sections of the opinion collectively, along with writing newspaper accounts of the trials as they unfold in real-time, which could be paired with opinion pieces offering different viewpoints. Additionally, immersive, interactive activities such as competitions could serve to significantly boost student engagement within the curriculum. As part of this process, students would conduct thorough research on their assigned cases, preparing presentations that showcase their understanding and insights. This innovative method would not only consume a considerable amount of time, thereby fostering greater dedication, but it could also enhance the overall enjoyment of law school. Furthermore, it would enable students to explore a wider range of perspectives—like discussing the implications of returning sports to campus or critically evaluating military contracts—allowing for a richer educational experience [11, 12].

Case Studies in Oral Advocacy

The first component of this course on oral advocacy looks at leadership options. In groups of five or six, students hear a public, real-world oral advocacy piece that took place on or about the Monday of the class. In small groups, students need to prepare and present a summary of the oral advocacy piece and their reaction to it. For the class, groups present their summaries for discussion about the advocacy piece, their group preparation, and presentation process. In dealing with early presentations, facilitating input from other students is a priority. However, the instructor's primary focus is on synthesizing the ideas and comments raised by students. Next, each student selects one written product and presents it to their peers, their persuasion, and the audience. This preparation expands the students' understanding of persuasive processes; practical public presentation skills; modification of preparation and presentation style; the normative and ethical dimensions of persuasive actions; the social and psychological constraints on persuasive actions; and self-reflection on these many issues and other topics. The presentation cycles through the various modes of appeals or functioning of argument in persuasion technology, speech organization depending on those appeals, and persuasive delivery. Modes of actions discussed as essays, speeches, and multimedia effects provide a context for discussing questions of normative and ethical concern, for illustration and investigation of the potential misuse of persuasive resources. Once again, the students' own preparation and presentation effort are the primary focus of the class discussion here. The last presentation comes from an academic source. It is either a survey of oral advocacy or oral advocacy in a particular context, medium, or rhetorical element of selection. The presentation draws on both academic and non-academic sources. Each student is to give a 10 to 12-minute presentation with audio-visual effects this time. For discussion purposes, a handout with the bibliography is provided. While it is helpful to use group work again in preparing the last presentation, the individual nature of these products is emphasized. The first function here is to group-share the topic research at a more scholarly level. But equally important is the aim of promoting public classroom discourse [13, 14].

Case Studies in Negotiation

Negotiators often analyze negotiation settings based on individual experiences and existing norms, leading to varied approaches. Case studies commonly miss key facts, forcing them to rely on established structures. Unlike structured factual patterns, movies present inferences, prompting viewers to deduce the context. This science fictional viewpoint parallels early storytelling, where only implied structures guide future processes. A negotiation case study resembles a theatrical script, demonstrating the

dynamics between two agents: a powerful college administrator and a struggling student representative, both oblivious to their hidden agendas. Their tense interactions may lead to agreements based on a perceived common ground, while opposing strategies could either escalate or resolve differences. The study proposes five hypotheses regarding the agents' negotiation approaches, exploring their focus on interaction types and essential deal elements such as time and resources. This complexity complicates predictions; however, core bargaining principles persist across case studies and present epistemological challenges. The practice of teaching negotiation through case studies is now widely accepted. Initial discussions revolve around drafting case studies, highlighting behavior-based negotiations that meet explicit goals or devolve into off-the-record bargaining when goals are unmet. Preparation involves mutual announcements, yet even structured negotiation outlines may lead to entangled beliefs and mere information exchanges among agents [15, 16].

Case Studies in Client Communication

As legal practitioners know, no “one size fits all” model works universally when trying to elicit information from clients. Myriad factors need to be weighed, including the client's age, culture, gender, socioeconomic class, mental health, language, logs, and many more. Case studies can be an effective method for teaching approaches to client communication; when putting together a case study involving ex-lovers who navigate a joint venture that winds up with an overflowing dumpster, students recollect pieces of their learning experience from week to week as they attempt to construct responses. The case studies require students to weigh and determine which pathways to follow, forcing them to wrestle with interrogatories, potential witnesses, choices regarding whether to bring anything to the meeting, and the usual dilemmas of discourse analysis. The students' responses on midterms and finals indicate how well they have digested the course. All these students are enrolled in the same basic communication and law course that has the identification of the communicative behaviors of litigants as a desired outcome. There were only two sample answers provided, chosen at random. The general characteristics of these responses are similar across all exam answers. Most students exhibit high anxiety in that setting. As a result, there were some partial statements and gibberish about gaps in knowledge or overly general assertions. Almost no students responded to one prompt by putting any object on the desk, and there seemed to be heavy consideration in deciding what to submit. But for the most part, the responses are impressive, with clear demonstrations of the students' insights into the personalities, weaknesses, and attitudes of the attorneys and the opponents. All students recognize the game-theoretic implications of the case. The permission to view the responses would greatly enhance an outside observer's understanding of dimensions of verbal and nonverbal behavior closer to that sought by the course [17, 18].

Assessing Communication Skills Through Case Studies

The discipline of law is, by its nature, a communicative discipline. It deals with the human disputes that arise in a society and how those disputes are, through various modes of communication—expressed, explained, examined, negotiated, argued, and resolved. The phenomenon of law is essentially and intrinsically a communicative one. Law students and legal practitioners begin as laymen with certain social expectations regarding the nature and role of law and the legal system. As these students and practitioners learn about the discipline of law, they come to appreciate that phenomenon in terms of different social expectations. Legal education seeks to teach law students about the discipline of law and to prepare them for the communicative role of legal practitioners. Legal educators are concerned with teaching written communication skills, oral communication skills, and negotiation skills. A variety of means are employed in this pedagogy: simulated negotiation exercises, student cross-examination of fact witnesses, moot court oral argument exercises, and mock trials as performance exercises. However, even as trial advocacy and course offerings in newer sensibilities about communication and conflict management have increased, the literature on case studies or viewing tasks in the legal curriculum is sparse. Legal communication is too often equated narrowly with written legal communication skills, leaving out all the other equally important and interrelated kinds of communication. Another challenge concerning the legal curriculum is how to assess students' communication skills. Traditionally, the assessment of the written portion of final examinations is heavily text-intensive, while the assessment of oral performance in the classroom appraisal is often characteristically subjective. The purpose of this comment is to describe a modified case study method for teaching communication in law. This modification offers enough structure and scaffolding to lead students through the complex tasks of viewing and assessing a communicative exercise while allowing enough flexibility and openness so that students can continually fashion, reshape, and sharpen their understandings of the communication task and the legal situation [19, 20].

Challenges In Using Case Studies

The use of case studies in law schools is becoming more popular, but classical Socratic methods can yield better results with well-prepared instructors. The case study approach makes it hard to hide ignorance in larger classes, leading to dissatisfaction among students and professors alike. The traditional lecture format has its advantages, as the content can be systematically organized. Students can be guided back to the topic if someone goes off course. In contrast, case studies encourage discussions that can stray from the syllabus, benefiting those knowledgeable about the materials but frustrating others who struggle to follow along. It's challenging to screen out students who lack the necessary skills before they enter law school, depending on admission criteria and prior preparation. If students do not engage, the instructor's methods may become ineffective. However, if executed properly, case studies can enrich discussions and keep attention focused. It's crucial to encourage students to analyze the few pages from a "client" and identify areas that require critical thinking. Still, if no opposing viewpoints are presented, students may feel lost. Aspiring legal experts need to build strong arguments, especially for complex, multi-faceted issues, rather than relying solely on simplistic cases [21, 22].

Best Practices for Facilitating Case Study Discussions

Communication is vital for lawyers, as ethical dilemmas and firm boundaries are intrinsic to the field. Providing law students with case studies helps them learn how to navigate the complexities of legal practice through real-world experiences. These studies illustrate the pitfalls of a "poor but clever" argument, the necessity for advocating boundaries, and the risks of overwhelming clients. Through role play, memos, and briefs, students engage with these complexities in a hands-on manner. Case studies should address legal disputes arising from miscommunications or misunderstandings of new technologies. Instructors can emphasize the importance of clear communication using relevant cases, such as misunderstandings surrounding the term "currently" in litigation. Students often find it daunting to confront their ignorance through case studies, fearing exposure in concrete scenarios. However, abstract discussions can be equally or more intimidating. More effective is analyzing immediate, pertinent experiences rather than broad concepts, as students benefit from concrete examples despite initial fear. Diverse cases cater to various knowledge levels, while less reputable stories can resonate more than success tales from professors. It's helpful to focus on external cases when introducing new concepts, allowing for creativity and engagement in discussions. [23, 24].

Case Studies from Different Legal Fields

This section presents three case studies for teaching law students effective communication: examining public official status at a law school protest, investigating communications leading to probable cause in monitoring a judicial candidate's discussion list, and a public records request about a police shooting involving a student. The first two studies focus on legal issues, while the third explores communication from a government agency and columnist perspective. These case studies can be adapted to other communication law courses and introduce general approaches, including presentation styles and legal writing. Law professors aim to make students think like lawyers, explore alternative methods for addressing legislators and judges, understand the impact of law on communication, and prepare students for media practice careers. The case studies are intended to help achieve the first goal by applying the law. Corporations often settle lawsuits without changing policies, maintaining silence about torts committed in their name. Media outlets seek exclusive information, while non-reporting groups desire only news items without legal queries being reported. To present the teaching case, a collaborative approach was adopted. Students formed teams or pairs, devised inquiries, and drafted questions with answers linked to legal citation. Each topic was divided into legal subfields, guided by an expert in communication law. Additionally, case synopses helped illustrate how legal knowledge is integrated into practice [25, 26].

Technology and Case Studies In Legal Education

Teaching for Tomorrow: Utilizing Technology to Implement the Reforms of MacCrate, Carnegie, and Best Practices. The design of course books and materials is evolving dramatically. CALI has introduced eLangdell Commons, allowing instructors to upload videos, case studies, and quizzes, creating a shared resource pool. Course books could be compiled from these materials, akin to how software produces 3-D animations. Faculty from diverse backgrounds could contribute to these resources, enhancing perspectives on topics and allowing specialization. Legal education has historically lagged in technology use; law schools must harness this trend to equip students with the necessary tech skills for legal practice. Professionalism issues can arise where technology intersects with traditional ethics, making it crucial for law schools to weave this into their ethics curriculum. With varying levels of tech proficiency among faculty and students, it's essential to train all law students on fundamental technology skills. Recently, law schools have emphasized training students in legal tech research, with libraries ensuring basic tech

instruction in all required courses. Schools can implement eLangdell Commons-like training for faculty as prerequisites for teaching in the J.D. program and make it mandatory for student graduation. Communication Concepts in Action: Best Practices in Case Study Pedagogy in the Organizational Communication Course. Case studies effectively marry theory and practice, enhancing critical thinking, problem-solving, and writing skills while simulating workplace environments. Studies highlight their benefits for students and instructors, demonstrating that case studies can invigorate learning. However, they can also serve merely to conclude a course if employed superficially. These traits prompted an inquiry into the value of using case studies in teaching organizational communication. [27, 28].

Comparative Analysis of Teaching Methods

Teaching law is now essential in many undergraduate and graduate communication programs, primarily delivered by mass communication and journalism professors who often view themselves as non-lawyers. A study was conducted on teaching methods for communication law to identify any differences in approaches. Interviews gathered data on teaching methods, materials, course offerings, instructors' legal backgrounds, and school demographics. Two methods were used for the survey: a national mailed questionnaire to educators, covering instructional methods and course titles, and an on-site survey involving interviews and observations of communication law instructors in all states and Puerto Rico. Despite varied teaching styles, commonalities emerged: lectures were the most used method, textbooks and handouts were predominant materials, and federal communication law courses were the most frequently offered. The study suggests several recommendations for current educators. Exploring diverse teaching methods can provide valuable insights into effective communication of law instruction for non-lawyers. Additionally, law professors should consider innovative teaching techniques beyond traditional textbooks, such as case studies. Finally, fostering collaboration among educators could enhance the exchange of effective teaching strategies and ideas, benefiting the overall educational process [29, 30].

CONCLUSION

The integration of case studies into the teaching of communication in law represents a significant advancement in legal education. Case studies provide a dynamic and interactive learning environment where students can critically engage with realistic scenarios, develop their persuasive communication skills, and apply theoretical knowledge to practical problems. They foster essential skills such as analytical thinking, oral advocacy, negotiation, and client interaction, which are fundamental for effective legal practice. By carefully selecting culturally relevant and engaging cases and incorporating both individual and group-based learning strategies, educators can bridge the gap between legal theory and professional application. Moreover, case studies offer a flexible and adaptable teaching tool that enhances both student learning outcomes and classroom engagement. Going forward, wider adoption of case study-based learning, supplemented by collaborative resource sharing among institutions, can transform the teaching of communication in law, producing more competent, confident, and communicatively skilled legal professionals.

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