



EMERGING TRENDS IN USING INNOVATIVE TOOLS FOR IMPARTING LEGAL EDUCATION AND PROFESSION: INDIAN SCENARIO

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Abstract

In this innovatory research paper, the author throws light on how Innovative tools are used for imparting the Legal Education in general in Higher Learning Institution and Profession. Here, innovative tools mean electronic gadgets applying by using the internet. The Indian setup of higher educational institution is the third-largest in the world. The existing mechanism to provide legal education is divided into Central Universities, State Universities, Private Universities, deemed to be Universities and National Law Universities. Lawyers are using technology to be more efficient and to service their clients in more equitable ways more popular in or during the pandemic. Where both the government themselves and regulatory bodies like UGC, BCI allowed the Online mode of arguments and court proceeding including the lower court, apex court of different states as well as Supreme Court of India too including for imparting legal education in educational institutions. This growth in globalisation and free economy has given rise to basket of opportunities to the legal luminaries i.e., lawyers, judges, magistrates, law professors and administrators to cope up with the changes of society and application innovative technology in both legal education and legal service/profession. The methodology is applied in this paper is both documentary and observation method of wide experience in teaching and research both in India and abroad. Internet sources are applied for latest and additional literature. Now, the trend is changed and high importance is given to legal education and legal practice because of liberalisation and globalisation now the world is hamlet where lot of scope for legal education and litigation because of trade, migration, investment in different countries and industry. There is a crying need to renovation legal education in particular to meet with the new tools and new electronic gadgets for imparting legal education and serving to the client. The world is a global village now or a hamlet and India is a digital developing country across the world both it terms of legal education and legal profession.

Keywords:

Innovatory Tools- Techno-Savvy-Legal Education-Legal Profession- Digital India.

"All of us do not have equal talent. But, all of us have an equal opportunity to develop our talents."-

Dr. Abdul Kalam, APJ (Missile Man)

1.0 Introduction

Knowledge is an indispensable public necessity while legal knowledge is an obligation to everyone as ignorance of the law is no excuse¹ but ignorance of fact is excusable². Education is a genus and legal education is a specie. Quality legal education is a prerequisite to the good and smart legal profession.³ Legal education and profession are much more prone to digital technology. Legal Education and Technology are complicated things as they cannot be parted if the motive behind the construction of laws and creating loyal and amicable, strong and close bond/ relation between counsel and client. If there is no change and there is no growth either in legal education or rendering the legal profession. Change or innovations are indispensable and inevitable for the development in the sphere of life including legal education and profession which is a universal truth.

Innovation in law both in education and profession is a burning topic at every legal seminar/webinar because of the pandemic and the explosion of innovatory technology is in the minds of every legal luminary and firm in this digital India. Now the emerging trends of legal education and profession, are leaving traditional law imparting education and physical volume-based legal firms respectively that and should and must be in keeping pace with the technological changes or innovations in digital India. There is no secret or hide and seek that the legal education and profession and legal institution and legal firms are changing because of an explosion of Information and Communication Technology (ICT) in addition to that even students who want to pursue legal education and clients are gradually engrossed on how one is or are delivering legal education in higher learning institutions and rendering legal services to the society in India.

Keeping in view above, students who want to pursue legal education are not joining now in traditional universities but in National Law Universities established by the respective States Acts with the permission of the Bar Council of India by following the norms of the Legal Education Committee. Now the clients who want the legal opinion and their legal problems/disputes should be solved or tackled are approaching the firms who are rendering services by using sophisticated and innovative tools in automation mode of office and digital library and applying the sophisticated technology in rendering legal service to the clients. High-quality legal education progress is a prerequisite for a high-quality legal profession.

A maiden attempt is made in this research paper to analyse emerging trends to know how innovative technology is applied in digital India for imparting legal education and legal profession to the student and practicing advocates respectively and the author ends with a conclusion and recommendation.

2.0 Legal Education in India

The Indian setup of a higher learning institution is the 3rd largest in the world. The prevailing mechanism to provide higher legal education is divided into Central, State, Private, deemed Universities, and National Law Universities in different States in India.

Institutions imparting legal education are on by establishing National Law Schools in different parts of India and the first of its kind is The National Law School of India University (NLSUI). It is the brainchild of the Late Prof. N.R. Madhava Menon⁴ is NLSUI the first of its kind to impart legal education in a sophisticated way in Nagaharbhavi, Bangalore, Karnataka, India. Later on, many National Law Universities emerged to provide quality education to the students after ten plus two either in the form of B.A., LL.B., BBA., LL.B.,

¹ *Ignorantia juris non excusat.*

² *Ignorantia facti excusat.*

³ Legal Profession means those who form a 'body of individuals are qualified to practice law in a particular court.

⁴ Prof. (Dr) Neelakanta Ramakrishna Madhava Menon, his anniversary and he be the father of modern legal education in India and the found of LL.B. program of five years He also served as the Founder Vice-Chancellor of National Law School of India University, Bangalore and National University of Juridical Sciences, Kolkata.

or in different combinations in five years of courses. Only traditional universities are also running both streams LL.B.-3 YDC and LL.B.-5YDC only entry points are different for both the courses. Both courses are recognised under BCI and UGC, New Delhi, India.

Many other deemed universities emerge like mushroom growth imparting special legal education by using innovative technology. National Law Universities that are making “great strides ... are creating centers, creating institutions,” often based on high amount of fees. National Law Universities are doing to connect more with bar groups/moot courts/legal aides/legal awareness programs/workshops and others pushing change by applying the innovative tools in the learning process and there is a remarkable ground change in academics. These National Law Universities in India picked up on the need for grassroots involvement for law students, and experience in community advocacy with innovative programs both in villages and cities of India in the form of Legal Aid Programs.

The present legal education system is transformed from conventional classroom teaching to technology-based teaching tools by using different platforms like Google Meet, Zoom, Google Classroom, Google Meet, Say Namaste, Cisco WebEx, etc. The necessity of time is to make law students, lawyers, and judges globally challenging. Therefore, in both the sectors of legal education i.e., academics and application of technology is evident. The world has come under one umbrella because of the explosion of Information and Communication Technology, and legal education. The legal education quality needs to be improved to meet the merging trends and technology. The pandemic is a disguised form of blessing to move from traditional systems to online-based systems by using Online platforms.

The legal education change and use of technology are indispensable to reach international standards. So, now we could see the digital library i.e., e-books, journals, reports, etc. It is indispensable now to have efficient and professional lawyers having computer savvy⁵ to cooperate with the various national and international legal education as well as legal firms. They should be given an opportunity for technology-based pragmatic education.⁶ It is necessary to take part in technology with legal education. Technology demands creating and rewriting laws and policies for the digital age. It also presents the need for new skills and working knowledge of digital tools. Legal education must aim to convert these challenges to opportunities. The author emphasises five elements in connection with Legal Education

2.1 Computer/Techno Savvy

In present digital India, one has to have knowledge of computer application, knowledge and very much familiar with computer operation and that is said to be modern or polished language Computer savvy or Techno savvy. In addition to that one has to have experience in surfing, browsing the sights to find the literature available on the earth planet on the particular aspect by using Desktop Computers, Laptops Tablets or any other electronic gadgets. The right to internet access is a Fundamental Right that was observed in the case of Faheema Shirin. R. K. v. State of Kerala⁷ that forms a part of the Right to Privacy and Right to Education under Article 21 of the Constitution of India. Internet access is part and parcel of technological tools used in higher learning institutions therefore it is inevitable in the field to study law and research in the legal education system in India. A student does not have an email ID is like a student does not have his or her name. One has to have an email ID and should have apps to launch online meetings too to learn both Online and Off Line mode depending upon the size of the class and availability of electronic gadgets.

2.2 Change in Curriculum

A student of law tomorrow needs to be well versed not only in matters of legislation and interpretation but also in understanding the vocabulary of technology and Computer/Techno Savvy too. Starting with data analytics, and proceeding to complicated matters of hardware deployment such as interconnection and up-linking of satellite channels, there is a whole new universe of concepts and ideas waiting to be introduced to the legal mind. Curriculum design must immerse in tackling this opportunity in a meaningful way.

⁵ One should have to know the operating systems (OS) like Linux, Windows, Android, macOS X, BlackBerry, and iOS.

⁶ Retrieved August 10, 2022 from <http://www.jicrjournal.com/gallery/160-jicr-september-3221.pdf>.

⁷ WP(C). No.19716 OF 2019(L).

Operating system, some software ware application courses must be taught in at least two semesters with two-semester communication skills for lawyers plus goes with computer savvy.

The design of the curriculum should be in such a way it would keep pace with changing society. New Offences are emerged because of digital transactions in India i.e. E-commerce or e-transactions etc., new types of offenses are existing now like cyber crimes and cyber torts viz., hacking, squatting, stalking, bullying, etc.,

Due to privatisation, liberalisation and globalisation now the world is a hamlet. There is an instant need to conduct in-depth research and design the curriculum to teach subjects like Cyber Law, Private International Law, Transnational Crimes, International Human Rights, Intellectual Property Rights, International Investment Law, Alternative Dispute Resolution, and International Business Transactions, to name them few.

2.3 Pedagogy

Law comes under the umbrella of social sciences. It can be taught with the help of various doctrines, theories, maxims, principles, and practical knowledge. There is a relationship between academics and profession. Students equipped with digital presentation and blogging skills, for instance, can stand out in the digital age. The onus is on legal educators to make this happen.

The prevailing mode of teaching can be altered to link the gap between theory and practice. To face new challenges in law, students must have computer/techno-savvy. It is not easy to deliver lectures in law as it wants multi-dimensional views and in-depth familiarity pros and cons of the situation therefore it is possible to advance new techniques suitable to teach law by using modern gadgets to pursue law.⁸ Therefore, case study, problem methods, case brief, the outline of the case, IRAC method in problem-solving and P-FIRAC Method in writing the case briefly are used in the institution. In addition to that tossed classroom method, clinical methods of teaching law, collaboration with Higher Education institutions or National Law Universities or national and international firms, project-based assignments, research projects, field visits, legal aid clinics to know social issues to find out solutions/remedies are the best choice to expand the quality of legal education are practiced in India at present.

2.4 Digital Library

Now, the trend is changing slowly and nobody keeping or restricting the physical volumes of books in the library whether it is at college or universities. Slowly changing from physical library to digital library. Now, all law reporters or journals, we would get in electronic format. So, there is a transformation of the physical library into a digital library is in progress. In addition to that, the charging and the discharging system is also computerised.

We may see now computer-based cataloging systems via electronic gadgets rather than paper-based cataloging cards arranged alphabetically arrangement or subject-wise arrange in the wooden/metal cabinet as soon as we approach any library counter front one may see.

The rise of data analytics and the growth of a cluster of technologies falling within the rubric of Industry 4.0 – Artificial Intelligence, Internet of Things, Machine Learning, 5G networks, Blockchain, 3-D Printing, Drones, and similar advances – have resulted in a deeper examination of the laws and policies required to govern these interventions. These in turn generate new prospects for suitably trained students and later to be future lawyers in India by conducting the workshop.

2.5 Experienced Faculty

The law profession is a highly modest sector at present and, therefore, the highest qualifications and abilities are demanded from aspirant students. There is, therefore, a need to fluent a clear long-term vision of legal education in India, where such a vision will be guided by a focused obligation to brilliance, and hence

⁸ Bajpai G.S. and Neha Kapur, (2008) "Innovative Teaching Pedagogies in Law: A Critical Analysis of Methods and Tools" *Contemporary Law Review*. Vol. 2.

appropriate and highly qualified, experienced teaching faculty has to be hired without any compromise in legal education.

In Public, Private Law Colleges, National Law Universities, and deemed Universities, the well-qualified and young aspirants must not feel that the teaching profession is lesser than litigation in many respects. It is essential and necessity situation and time to give better pay scales and attractive increments even to teachers in private institutions then only they would stick up to the profession of teaching and effectively deliver the goods to the law students without any fear or favour.

The teaching faculty should be encouraged to publish the research papers and some incentives have to be provided by the management to motivate the teaching staff to publish. In every year of accreditation, there should be elevated raise should be seen in the graph each year and promotion criteria have to be followed to motivate the teaching staff and promote them from lower status to the next level of teaching designation.

The faculty has to be sent to the refresher courses to learn the new teaching technic and new methods launched and how they would be taught. Every week there should be a staff seminar that motivates the staff to spend time on research which is the other side of the coin in addition to the regular teaching which is another side of the same coin. In other words, teaching and research are both sides of the same coin.

3.0 Legal Profession in India

Technology has changed the legal profession. Lawyers are using technology to be more efficient and to service their clients in more equitable ways more popular in or during the pandemic. Where government itself allowed the Online mode of arguments and court proceedings including the lower court, the apex court of different states as well as Supreme Court of India too. This progress in globalisation and free economy has given rise to the basket of opportunities for legal stalwarts and luminaries i.e., magistrates lawyers, judges, academicians, law professors, and administrators to cope with the changes in society and the application of innovative technology in both legal education and legal service.

An Advocate/Lawyer of tomorrow needs to be well versed not only in matters of legislation and interpretation but also in understanding the vocabulary of technology and Computer/Tech Savvy too. Starting with data analytics, and proceeding to complicated matters of hardware deployment such as interconnection and up-linking of satellite channels, there is a whole new universe of concepts and ideas waiting to be introduced to the legal mind. Curriculum design must immerse in tackling this opportunity in a meaningful way. The author picked and highlighted only five ingredients/elements in connection with the Legal Profession in India.

3.1 Shape Solid Foundations

The strong foundation of the lawyer is a prerequisite for a strong legal firm. Producing a durable foundation for law firm novelty is all about where to invest and how much to invest. While investing in technology by purchasing digital or electronic books, reporters, and other tools which are useful in the profession is important to ensure the appropriate modern tools are in place. Grassroots capability or caliber of legal firms in using innovative technology and various modes to build digital legal firms to render legal services to clients.

3.2 Empower Visionaries

For any firm or corporate firm to render legal service there should be a vision that should be clear cut to protect the rights of the people of the country by charging the consultation fee. One has to have to identify how to spot them in one's legal firm with one's own approach, feeling or sense or attitude, and intelligentsia. Once the visionaries in any legal firm are identified, they will need the independence to find artistic, new ways to confront everyday legal challenges which are taking place in digital India. There would be clear vision justice should be done and seems to be done. It means there would not be a delay in the motion of cases while conducting the trials by the Legal firms.

3.3 Listen to the Clients Attentively

Speech is silver and silence is gold. The silent listener is the best learner. A keen listener is a good learner and a good learner is turned to be a good decider too. The council has to listen carefully to the client and it is a new type of innovation to satisfy client demands and satisfaction. It is only natural that listening proactively to clients is critical to describe exactly what they need or expect from the lawyer. The clients always expect that an Advocate/lawyer find or trace/discover new ways to improve the client experience and client demands then only there should or would find new opportunities to expand the relationship between the lawyer and client and the profession continues without up and downs. It is easy to lose the client but very difficult to gain the client.

3.4 Line up Integration

Integration makes to be easier the solution which is flexible, amicable, and adaptable. Integration always makes your knowledge even more powerful, and strong and can restructure the clients or user knowledge and experience, which will inspire wider Information and Communication Technology use in rendering legal services in corporate offices or legal firms.

The Elements of innovation are electronic books or digital book, journals, reports, compendium, quinquennial digest, or major acts which affords more evidence about these key elements of novelty and gives practical and pragmatic guidelines on how to get there.

3.5 Computer/Techno-Savvy

We are now in the era of e-books, e-commerce, e-transaction, e-discovery, predictive coding, tablets, iPhones or iPad, live streaming, paperless offices, and more. In spite of the transformation from traditional methods to innovatory technology in the legal profession, most law firms are still woefully behind in spite drastic change explosion of Information and Communication Technology. Many firms are still using Windows XP, which is now considered to be a major security risk when there are new operating systems available that are not prone to virus risk, and others are still using paper, fax machines, and typewriters more than necessary. Hence, lawyers should and must have Techno-Savvy that only he/she could justify in his/her profession.

Any sharp, intelligent, sophisticated, and elegant lawyer wants to provide a good outcome for their client as efficiently as possible within no time. If you try to squeeze or harass a client with inefficient time, the lawyer would not keep the client for long relation. So, if innovatory technology makes lawyers smarter, more sharp, efficient, and thereby better able to represent their clients. Hence, the lawyer should have computer savvy in using the innovatory technology to render service to their client inefficiently without consuming more time by the use and adoption of innovatory tools.

The author is having an optimistic view or hopes it will spur some motivation, inspiration, encouragement, and a quick start from traditional to modern digital transformation in rendering the legal service to the clients because of the explosion of ICT by the use of the Internet.

4.0 Conclusion

The author has summed up the following conclusion:

- The progress of sound legal education is a prerequisite to a sound legal profession.
- There is a crying need to expand legal education, in particular, to meet the demand with the new tools and new electronic gadgets in imparting legal education and serving the client being a lawyer.
- The world is now nothing but a global village or a hamlet and India is a digital developing state across the world.
- As far as legal education is concerned it is neglected certain extent but after the pandemic, digital technology applied immensely or used in the legal education and profession in India.
- The strong desire of the state to implement new legal policies can make India a world study institution. Legal education needs to adopt innovative techniques with the increasing of technology to produce quality goods to build a society of good community in India in particular.

- The study and modernisation shall be given main importance so that India will become a global digital hub for innovative legal education and the legal profession.
- In one way or another way pandemic (Covid-19) is a disguised form of blessing that forced us to use the Online mode of teaching and arguments or court proceedings Online mode from a lower court to the apex court of each State of India.

5.0 Recommendation

Following are a few recommendations for using innovative technology in the development of legal education and the legal profession.⁹

- **Active Legal Education:** The law graduate acquires sufficient knowledge in law and experience before they go to practice. After such practice only they are eligible to practice in the Courts. Legal education must replicate the participation of representatives in the legal profession.
- **Appointing Highly Qualified Faculty:** The more qualified and experienced teaching staff should be hired to impart legal education and those young and dynamic having techno-savvy too.
- **Choosing and Improvement of Educational Material:** The course should be practically oriented and be useful to the stakeholders or in high demand in the market and such courses are to be taught in the curriculum in addition to the traditional courses or core courses.
- **New Mode of Teaching:** The teaching method should be gone by using the PPT or OHP or any other electronic gadgets which leave an impact and impression in the minds of students which must be both audio and visual. There is also a blended mode of teaching i.e. Both Online and Offline teaching depending upon the availability of the resources, and the number of students and experts.
- **Sophisticated Setup:** The computer lab, libraries, auditoriums for brainstorming sessions, sound classrooms and seminars, with the latest technologies for presentations, etc. are essentials for a good infrastructure of a institution and must be elevated from time to time. There should be a good studio or theater to deal with Online mode classes with broadband Wi-Fi facility with laptops and other electronic gadgets to deal or conduct the national and international webinars.
- **Foundational Research Centers:** Due to privatisation, liberalisation and globalisation, there is a necessity to conduct exhaustive research into the subjects viz., Cyber Law, Intellectual Property Rights, Private International Law Transnational Crimes, International Human Rights, International Business Transactions and Alternative Dispute Resolution. There would be the human right center, women and children protection cell and other bodies to be established.
- **Academic Programs sponsoring must** with global contacts, and enlarging , extending the number of formal intercontinental linkages, workshops seminars, and webinars on different online platforms.
- **Standardising of the Legal Profession:** In the curriculum, there is not enough practical training for law graduates hence, they have to toil a lot when they enter into the profession. It is high to bring a new system that the law student will be taught the working of real courts, so that, it is a time for students to have jobs after their graduation if they are grilled for the practical in their studies. There would be separate law schools¹⁰ to train the students in a more practical way to enter into the legal profession.
- **Computer/Techno Savvy:** It is mandatory for both students and lawyers or an advocate in learning and profession respectively. Once the student has such qualities then he may be a good learner with the aid of innovatory tools as mentioned above, then only the student be a perfect learner and researcher. There should be a special workshop on using the innovatory technology for the professional in the form of training programs and workshops for both amateur and veteran lawyers/ advocates who do not have computer/techno-savvy. Obviously, using the latest technological tools can strengthen a lawyer's practice in court and the resulting outcomes for their clients. So, both young and seasoned lawyers are mandatory or shall to become techno-savvy.

⁹ Retrieved on August 10, 2022 from <https://www.legalbites.in/technology-and-legal-education>.

¹⁰ The Law School of Tanzania (LST) is established in Tanzania to train and grill the students who want to be an advocate in Tanzania and it is a training institute.

- **The Bottom Line:** Every student of law and lawyer in the legal profession should try to adopt new technology. In the profession paperless offices are growing and, when done right, can save dramatic amounts of time and money. Rome is not built in one day in the same way everything does not have to do it all at once, but slow and steady steps can be a major boon over time.

The author begins his research paper with Dr. Kalam's quotation and ends his research paper again with the quotation of Dr. Abdul Kalam, APJ *"As a young citizen of India, armed with technology and love for my nation, I realise, a small aim is a crime."*

