



*Building community,
commitment, and excellence in
legal aid practice*

Basic Lawyering Skills Training Online Pilot Final Report

July-August 2004

Executive Summary

Legal Aid University successfully completed our final test run of Basic Lawyering Skills Training (“BLaST”), our first course designed for delivery over the Web. BLaST is an intensive four-week course for 8-12 participants and 2 facilitators. It covers basic skills that new legal aid lawyers need such as conducting an interview, case strategy and planning, and client counseling.

BLaST is unique among online legal education not only because it caters to legal aid attorneys, but also because it fosters skill development and community building through interaction among colleagues. Each week’s activities helped participants internalize their learning through discussing their practice, sharing their experiences, sharpening specific skills with targeted exercises, and integrating each lesson through simulations that model real-life scenarios. Learners met, discussed, and planned via text-based forums, a web-based conferencing space, and telephone. Participants generally felt a sense of community and the safety to share private concerns about their practice.

We developed significant course resources to support learning including readings, skill-demonstration videos, case materials for simulations, and even an inspirational DVD, *Voices of Legal Aid*. Many of the materials involved a single storyline which we developed to keep participants emotionally invested in the course and help them understand their learning in the context of a full case and “real” client. This story-based method proved effective, and we will continue utilizing it in future training programs.

When possible, we fostered ties between learners and their supervisors – for example, by pairing them together to practice active listening skills. These efforts ensured that participants would integrate their learning with actual day-to-day practice.

Over the next few months we will incorporate participant and facilitator feedback to improve the course, which we have scheduled to run again in January 2005. Key areas we intend to upgrade include communication with participants and their supervisors about the course’s time commitment; logistics including distribution of materials and scheduling of meetings; and streamlining of redundant or weaker activities.

As one participant put it, “My future clients will certainly benefit from the skills I’ve gained.” We are confident that this course will continue to enhance legal aid attorneys’ ability to serve their clients.

BLaST Online Pilot Overview

The second trial run of Basic Lawyering Skills Training (BLaST) Online was a resounding success. Our participants and facilitators handled the inevitable rough patches with aplomb and provided invaluable feedback. We will incorporate the lessons we learned from both this and the first trial run into the production version of BLaST Online set to open for enrollment in January 2005.

Course Overview

BLaST Online is a 4-week course delivered over the Web that uses readings, video demonstrations, practice simulations, and facilitated group discussions to teach new attorneys the basic skills necessary for excellent legal aid practice.

Pedagogical Approach

“Action learning” is the cornerstone of Legal Aid University’s educational philosophy. Learners **construct** their own understanding of course concepts through activities and discussion instead of absorbing information passively. The implications for online learning are as follows:

- BLaST Online emphasizes **interaction** among participants and facilitators rather than canned presentations.
- BLaST Online participants learn discrete **skills**, practice them in short exercises, and integrate them in simulations of actual practice situations.
- Because most learners participate in the course from their own offices, they can put their knowledge into **immediate use** and give / receive feedback on their success.

Design Process

The core design team for BLaST Online consisted of **Shari Zimble**, **Wendy Janett**, and **Gene Koo**; many other individuals contributed significantly to development of both the course and specific resources. Work began in earnest in the last quarter of 2003. Because this was the first course the team had designed together for an online environment, we faced a sharp learning curve, and the design process took longer than planned. Initial work assumed a simple adaptation of the existing 4-day in-person BLaST. We found that the in-person course required significant or even total revision to be suitable for an online audience. The final course thus departed from (and improved upon) the original in-person course.

Course Design

Logistics

BLaST Online took place over 4 weeks (July 12 – August 6) with a total of 8 participants and 2 facilitators. We asked each participant to devote at least 10 hours / week to the course. Each week included the following activities:

- one synchronous (live) meeting via online meeting space / conference call;

- 3-4 asynchronous but limited timeframe online discussions.
- The 2nd-4th weeks, which focused on specific skills, also included the following:
- 2-3 exercises to introduce and practice each skill;
- 1 final simulation synthesizing the week's skills and learning objectives.

Facilitated Learning

Reflecting our commitment to community-building and personalized instruction, BLaST Online calls for **2 facilitators** per class of 8-10 learners. This very favorable ratio enables learners to receive individualized feedback on their performance and progress.

Our facilitators are experienced attorneys who have a wealth of personal experience to share. Yet their primary role is to guide and encourage learners rather than to recount “war stories:” they are instigators, mediators, and cheerleaders, but above all they create and maintain a **positive learning environment**.

Relevant Activities

Learning activities are the backbone of BLaST Online. While some activities are freestanding, many involve a central “storyline” that engages participants in the story of Mona Hawkins, a woman who has lost her job and is in danger of being evicted. Each week a new aspect of Mona's story unfolds and builds on the work of the previous week.

Generally each week includes at least one of the following activities:

- **Discuss** with the group a topic or skill addressed during the week, usually in a reading or presentation. Discussions take place on the web in “asynchronous” spaces (students may participate at any time). Learners must post their own thoughts and respond in turn to at least two other posts.
- **Meet** with the group in a synchronous online meeting space and conference call. The weekly “**Live Linkup**” gives participants the chance to interact with each other in a more informal setting than the text-based discussions.
- **Practice** a key skill. For example, learners practice delivering bad news to clients by role-playing with colleagues in their own offices.
- **Prepare** for the week's simulation. Each week we provide a framework for planning which we encourage learners to use in their actual practice.
- **Engage** in the week's simulation. We carefully design each simulation to highlight the difficult yet common issues faced in legal aid practice as well as to integrate all of the lessons of the week. Each simulation also advances the central “Mona Hawkins” storyline. In the pilot, one facilitator played the role of the client while another observed; both provided feedback on the participation's preparation and performance.

Resources

A bevy of carefully selected resources support each activity in BLaST Online.

articles

textbook

multimedia – inspirational and demonstrative

Topics Covered in BLaST

Each week of BLaST addressed a different topic important to attorneys new to legal aid practice. Several general themes permeated every week: **client-centeredness**, **preparation**, and **creativity**. Week 1 focused on the **values** of legal aid as well as introducing the course, the participants and facilitators, and the learning environment. The remaining three weeks focused more on specific advocacy **skills**.

- Week 1: Introduction to Legal Aid
 - Underlying values and purposes of legal aid practice
 - Set personal learning goals
- Week 2: Interviewing
 - Client's perspective of the initial interview
 - Preparing and conducting an initial client interview
 - Active listening
 - Topical funneling
- Week 3: Case Planning
 - Clarifying client goals
 - Legal and non-legal options for achieving client goals
 - Evaluating legal options
 - Alternative solutions for achieving client goals
- Week 4: Counseling
 - Identifying and resolving ethical issues
 - Helping clients make decisions
 - Delivering bad news

Participants

The BLaST Online pilot attracted a diverse audience of national scope. We selected 8 individuals to participate; all 8 matriculated, but one participant withdrew after the first week due to conflicts between the course and the workload (see *Lessons Learned: Course Logistics* below).

Regions represented

- Florida
- Illinois
- Maryland (2)
- Mississippi (2)
- Texas
- Washington, D.C.

Organization type

- Legal aid – direct service (5)
- Group representation / impact litigation (3)

Lessons Learned

Participants

- Participants enjoyed having a mix of attorneys from different geographical areas and types of programs
 - Survey: Unanimous agreement with the statements “I enjoyed having participants from legal aid programs beyond my geographical area” and “I enjoyed having participants from a mix of legal aid programs.”
 - Comment: “This was possibly one of the best factors of this program. I enjoy so much meeting new people from different areas!”
- Participants benefited and learned from each other.
 - Comment: “I even wish I could have learned more from them.”
- BLaST participants should have at least *some* experience in the field in order to have something to share with others.
 - Comment: “I liked learning about how others’ experiences related to the material.”

Pedagogy

- Discussions among participants and facilitators can succeed in changing or broadening viewpoints.
- Weekly simulations gave participants the opportunity to improve specific skills and enabled facilitators to measure this improvement.
 - Comment: “I did not know where my strengths/weaknesses were before participating in the interviewing part of Blast. I now know that I did need some skills in that area.”

Logistics

- Actual time commitment exceeds the estimated 10 hours/week; 15 hours is a more accurate estimate.
 - Comment: “Being perfectly truthful, there were times when I thought it was too much, but after completing the project, I felt as though it was worthwhile.”
 - Comment: “There were times where I did think it was getting unmanageable.”
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- Course materials (notebooks, reader, DVD, CD) need to be distributed well in advance of the start date.
- Supervisors did not reduce participants’ caseloads despite the fact that they knew they were involved in a formal training program.
 - A prerequisite authorization form signed by the participant’s supervisor may set proper expectations about the course’s actual time commitment.
 - A “supervisor track” may engage supervisors with the course and help them understand their attorneys’ own course workload.

- Comment: “As a new attorney, I’m still having trouble managing my time w/out extra responsibilities.”
- Joint activities (teams, simulations) difficult to schedule.
 - May need reserved course time blocks during the week for joint activities that can also be used for personal course work.
- Course requires a clearer syllabus and schedule up front so participants can fit activities into their schedule.
 - Comment: “I’d like the syllabus [to be] given out at the beginning of the course so that I have more time to plan.”

Activities

- Simulations (e.g. role-playing an interview) conducted over the phone substituted well for simulations run in person.
- Discussions elicited strong participation, particularly when drawing in personal experiences or strongly-held beliefs.
 - Comment: “I am going to push my supervisor to take on our potential clients as actual clients as a result of our ethics conversation.”
- Participants appreciated paired or team activities, though logistics of meeting may have been difficult.
- End-of-week reflection discussions not well thought-out and ignored by many participants.
- Targeted exercises gave participants the chance to try out new skills in a safe environment.
 - Comment: “I liked practicing repeating the client’s goals / concerns to check to make sure I understood properly.”

Resources

- “Generic” legal practice readings were adequate in many cases, but learners appreciated reading materials written specifically for the legal aid context.
- Participants liked seeing interviewing skills demonstrated on video.
 - Participants did not share designers’ concern about mediocre quality of some of the acting.
 - Although not intended as such, participants viewed videos as exemplars for practice.
 - Comment: “It was helpful to see people role play the interview.”
- Videos (“Voices of Legal Aid” DVD and “Mona’s Story” short clip) succeeded in evoking desired emotional response from viewers.

Facilitation

- Participants appreciated facilitator’s practice experience, especially actual stories
- Participants appreciated facilitator’s feedback and advice.

- “I appreciated the suggestion that I be more firm in directing the client & more honest about no-win situations... I appreciated the comments that I shouldn’t try too hard to help Mona w/ an option that she wants to pursue but would not likely be fruitful.”
- Participants appreciated and expected to use provided planning and analysis forms.
 - Comment: “I am going to use the case analysis forms in my practice.”
- Facilitators should focus more on encouraging student interaction rather than responding directly to every issue raised.
 - Comment: “Techniques that might be helpful include: “Allowing silence, requiring everyone to comment on a question/issue, not being sarcastic.”
- Facilitators succeeded in creating a safe environment in the asynchronous discussion forums for frank discussion.
 - Several participants shared feelings about their workplaces in confidence.
 - Comment: “In the end I felt very safe. It took me a while to warm up.”
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- Facilitators need more rigorous method to evaluate learner skills and progress
 - “Score sheet” for simulations, e.g. use of active listening skills
- Facilitators need better criteria for measuring and evaluating participation and determining course completion.