

## GUIDE ON CASE STUDIES:

### HOW TO DESIGN & TEACH CASE STUDIES IN LAW

#### INTRODUCTION: THE PEDAGOGIC CONCEPT OF CASE STUDIES, TEACHING OBJECTIVES, LEARNING OUTCOMES & TRANSVERSAL COMPETENCES

The idea of the GUIDE ON CASE STUDIES is to create a guide for (new) lecturers, providing methodological guidelines on how to design and teach case studies for students, based on our reflection and experience. We hope to give teachers some fresh ideas on how to include and carry out case studies in class.

Following some pedagogic reflections on case studies, particularly on the question which teaching objectives and learning outcomes can be achieved and which transversal competences can be trained by using case studies in general, in the first part of the guide we provide you with a general guideline on how to create and teach a case study (1.). In the second part of the guide we have identified seven different types of case studies which are introduced subsequently (2.).

The guide is supplemented by example teaching materials for each type of case study.

#### The (pedagogic) concept of case studies

Case studies “use a narrative of a legal dilemma to exemplify principles of law”.<sup>1</sup> This narrative may be based on an already existing court decision or may present a legal dilemma as it unfolds. It may be based on a real-life case or be entirely fictional. Students are asked to put themselves in the position of a legal practitioner (e.g. a judge, a practicing lawyer, a notary etc.) and deliver a legal analysis and solution to the dilemma or argue and defend their advice for the protagonist. Case studies engage students in active learning. Hence, they offer a brilliant way for students to learn about the law and to apply legal knowledge that they have acquired.

#### Transversal Competences: Teaching objectives & Learning outcomes

Case studies are not only a great way of teaching students the law, but also train different transversal competences. Through working on case studies students:<sup>2</sup>

- Train their logical thinking abilities: Students learn to think in a structured way and used their common sense to arrive at a practical solution.

<sup>1</sup> Harvard Law School, The Case Study Teaching Method, available at: [https://casestudies.law.harvard.edu/the-case-study-teaching-method/\(7/6/2023\)](https://casestudies.law.harvard.edu/the-case-study-teaching-method/(7/6/2023)).

<sup>2</sup> Inspired by:Oxford University Careers Service, Legal Case Study Interviews, available at: <https://www.careers.ox.ac.uk/legal-case-study-interviews#collapse1546601> (7/6/2023); Harvard Law School, The Case Study Teaching Method, available at: [https://casestudies.law.harvard.edu/the-case-study-teaching-method/\(7/6/2023\)](https://casestudies.law.harvard.edu/the-case-study-teaching-method/(7/6/2023)).

- Acquire the capacity for legal analysis and synthesis: Students learn to identify key issues from a lot of information (potentially under time pressure, e.g.in an exam).
- Acquire the capacity to construct a valid legal argument: Students learn to balance legal arguments and build up a line of reasoning supporting their stance.
- Acquire the capacity to apply knowledge in practice: Students learn to use their legal knowledge to solve a real-life legal dilemma and come to a practical solution.
- Practice decision making: Students learn to summarise the main points of an argument and come to a well-argued conclusion given a certain set of facts.
- Train their problem solving skills: Students learn to think and work problem-oriented and learn to focus on and solve those aspects which truly matter rather than those which are merely hypothetical.
- Acquire the capacity to communicate legal arguments orally or in written: Students learn to communicate clearly and effectively, as well as using a high standard of general literacy.
- Train their ability to communicate with non-experts in the legal field: Particular in case studies involving a client, students learn to explain difficult legal problems to lay persons and help them identify their underlying goals.
- Train their negotiation skills: Students learn to clearly communicate what they are trying to achieve and to identify points which they are willing to negotiate.
- Practice planning and time management: Students learn to manage their time effectively, prioritise important information and activities and deal with a large volume of unfamiliar information they are presented with.
- Acquire critical and self-critical thinking abilities: Students learn to critically question legal solutions to problems presented by jurisprudence and academia, as well as their own.
- Acquire the capacity for generating new (creative) ideas: Students learn to think out of the box when confronted with real-life problems which are most likely not treated in their text-books.
- Train their resilience: students learn to respond adequately to challenges such as a difficult problem or a situation which is not going in their way and learn to defend their point of view.
- Train their ability to work autonomously/or in a team: Depending on the assignment students learn to work on their own without the direct guidance of a teacher, or learn to engage in productive working relationships with their fellow students when assigned to solve a case in a group.
- Train their interpersonal skills: Students learn to be confident about presenting their work, handle feedback from their peers and teacher etc.