
A Legal Mind: Evaluating the Effectiveness of an Active Learning Tool in Legal Studies

Wendy Calaway
University of Cincinnati Blue Ash

Annette Redmon
University of Cincinnati Raymond Walters

Undergraduate legal educators face the challenge of conveying important information to students that promote understanding and retention of abstract concepts. Evidence suggests that methods that promote active learning and student engagement are important supplements to traditional methods of lectures and reading assignments, particularly with younger students who are steeped in the culture of modern media. Although slower to adopt the active learning pedagogy, legal educators also endeavor to engage students more dynamically in the classroom. This paper describes a student video project designed to engage student interest and demonstrate student understanding of core legal concepts. The effect of the project on student performance in an introductory business law course is described. It has been well documented that when students are actively engaged in the learning process their understanding and retention of the material is increased. Educators continue to experiment with ways to reach students, draw them into the learning process and to stay relevant in the twenty-first century media age. The contribution of this article is to confirm prior research in this area that the use of video projects can increase learning and student satisfaction. The research expounds on what has been done previously to include an undergraduate law course.

Active Learning Generally and with Legal Studies

Students of the twenty-first century, are frequently described as multi-taskers, having short attention spans for any one project, comfortable switching from one project to another, and expecting and enjoying constant digital stimulation and gratification (Hofer & Swan, 2005). Student level of comfort with technology has been noted by others and is easily observed in most college classrooms (McHale, 2005). As Greene and Crespi (2012) noted, these students are expecting a different learning experience from

what has traditionally been applied in the American classroom for the past 100 years. Whereas prior generations of students were content with taking notes as the instructor lectured on subject matter, the expectations of students today are for a more active and engaging experience, an experience that utilizes their unique learning skills and styles (Greene & Crespi, 2012). Many educators have embraced the active learning approach to meeting these expectations. Active learning requires the dynamic participation of students in the learning process (Sivan, Leung, Woon & Kember, 2000). The importance of active learning in the development of student skills has been well documented in literature. (Bonwell & Eison, 1991). Examples of active learning approaches have included group discussions, guided lectures, flipped classrooms, problem solving and role-playing.

Another example of an active learning strategy involves the use of video projects. Researchers have noted the value of employing student-created videos and developing pedagogy surrounding the digital expertise of today's students Skiba (2007). Referring to these students as "digital natives," Skiba argues that these students have grown up in a multi-media world and are comfortable interacting through social media with applications that involve sharing photos, video, music, and text. Thus, incorporating student created video projects into course curriculum works well with students' expertise and interests.

Video Projects

The research literature is ample regarding the value of incorporating digital videos in the classroom (Greene & Crespi, 2012). There are examples of the potential benefit in the education research literature generally. Ryan (2002) describes a high level of student motivation, Hoffenberg and Handler (2001) comment on motivation and student enjoyment, and others describe how videos support authentic learning, and encourage student engagement (E.g. Schuck and Kearney, 2004). New (2006) and Parker (2002) report how videos support student creativity. Burn et al. (2001) explain how student videos accommodate students with different learning styles and abilities. Further, the exercise of requiring students to explain their understanding a subject in a video presentation results in better ability to transfer information than studying for a test (Hoogerhede, Loyens & van Gog, 2013). This notion supports prior research which suggested that instructing learners to study with the intention of being able to successfully explain a

task to others might invoke a more active study approach and cause learners to focus less on absorbing new facts and more on interpreting and integrating new knowledge (Benware & Deci, 1984). Further, studies have shown that instructing learners to study with the expectation of teaching to another student can invoke an active study approach and enhance learning outcomes when compared to the more passive approach of studying to complete a test (e.g. Bargh & Schul, 1980; Benware & Deci, 1984, Renkl, 1995). The practice of explaining the learning materials to another (non-present) person during the creation of a video-based modeling example might further improve learning outcomes (Hoogerhide, Deijkers, Loyens, Heijltjes, & van Gog, 2016). It has been shown that generating explanations can foster learning more than rereading or receiving explanations (Lombrozo, 2012).

Despite the research that has been done, there is still a need for research on the effects of video projects at the collegiate level and specifically within the arena of legal courses generally and business law specifically (Greene & Crespi, 2012). This article examines the effects of a video project on student learning in an introductory business law course.

Hypothesis

This analysis of this course sought to determine what, if any, effect a video project would have on students' overall performance in an introductory business law class. The hypothesis was that the experience of actively creating a video presentation, incorporating business law concepts discussed in class, and then presenting the video to the class would have a positive impact on students learning, course performance, and overall satisfaction. We believed that allowing students to take ownership over their own learning would give them more of a stake in the outcome and then lead to greater learning through the video project activity. To underscore this point, it was hypothesized that students would perform better on final exams in courses with the video project than finals in prior classes. We further looked at students' perceptions of the video project as an educational experience.

Method

The subject of this inquiry was an Introduction to Business Law course made up of first- and second-year college students at a regional campus. This regional campus has a higher proportion of underprepared

and nontraditional students than what one would see at a four-year research university. One of the concerns of this course and this college is to assist students in meeting the requirements of a rigorous college experience. Twenty-nine students completed the course in the spring of 2106. The course followed a traditional lecture format for the majority of the semester, comparable to the delivery of material for courses previously taught on this subject. Four weeks into the semester a group video project was introduced. The assignment required students to organize themselves into groups of three or four. Each group had the task of creating an instructional video and accompanying script/storyboard based on an instructor-approved legal topic covered in the course. Topics were items regularly covered in introductory business law courses and ranged from antitrust, contracts, ethics, negligence, corporations and other traditional business law topics. The students were provided with instructions (Appendix 1) and a rubric (Appendix 2) at the time of the assignment. Instructions provided examples for the format of the video including, demonstration of an ongoing or settled legal matter, an infomercial, a musical performance, or skit and left the opportunity open for other student generated ideas. Students were informed that the overall purpose of the group video project was to present a legal issue so that viewers would learn the basic elements or fundamentals of that legal topic. A professor from the Arts and Visual Communication Department was invited to the class for a brief demonstration on video recording and editing that students could use to complete the project. A deadline of eight weeks was provided to complete the project. Class time was provided to allow the groups to work together. At the conclusion of the project each group's video was played in class and the professor and students asked each group questions about their video and the concept discussed.

Four prior sections of Introduction to Business Law, taught by the same instructor, without the video project assignment were compared to the current course, with the video project. The previous business law courses were taught in the Fall of 2104, the Spring of 2015 and the Fall of 2015 (two sections). These courses had approximately the same number of students: 27, 29, 23, and 27 respectively. Final exam scores for all students were averaged for each section; standard deviations were calculated and analyzed. The results of this comparison show an average score of 66.71 for previous Introduction to Business Law courses without the

Table 1: Video Project Impact

<i>Course Number</i>	<i>Average Final Exam Score</i>	<i>Standard Deviation</i>	<i>Video Project Assigned (Y/N)</i>	<i>Number of Students</i>
Fall 2014–BLAW 2080.014	70.63	25.77	N	27
Spring 2015–BLAW 2080.011	65.69	17.03	N	29
Fall 2015 – BLAW 2080.013	64.22	19.53	N	23
Fall 2015 – BLAW 2080.014	66.33	18.19	N	27
Spring 2016 – BLAW 2080.010	82.1	14.59	Y	29
Fall 2017 – BLAW 2080.006	82.92	19.42	Y	29

video project. The average final exam score for the subject course was 82.1. This is an average increase of 15.39 and approximately two letter grades on the University’s grading scale. These findings are supported by the standard deviation, which for the prior courses showed an average of 20.13, compared to the subject course of 14.59. Subsequent semesters where the project was used showed similar increases in average final exam scores.

To assess student perceptions of the video project student evaluations were used to determine whether students found the project useful. The student comments about the project also suggested that students found it to be valuable; for example, students wrote comments such as: “The video project was awesome. It was a lot of fun and I learned so much.” “Best assignment ever!” “The video project really helped me learn.” “The end of the year video project definitely helped me understand different cases better, and I think other students would agree with me, it was also a fun project to do.” The themes that emerged from the student comments involve making the work more accessible, more enjoyable and a more effective learning tool.

Discussion

The results of this study were consistent with the research literature. The use of the video project improved student outcomes and resulted in positive student experiences. Overall student impressions were positive. Students felt that they learned more by being directly involved in the process. Legal educators have been slower to embrace data driven

teaching methodologies (Stuckey, et al. 2007). Legal education has historically focused on the Socratic method (Madison, 2007). Students read casebooks and in class answer a series of questions designed to stimulate critical thought. This method of teaching has been employed in the field of legal education for centuries. While still very popular, the methodology has been criticized for its failure to provide a contextual basis for abstract concepts. Researchers have called upon legal educators to bring their approach to teaching in line with the scholarship of teaching and learning (Stuckey, et al, 2007). There are multiple ways that legal educators can more effectively respond to the needs of students in the 21st century. The video project discussed in this article and employed in the business law course is one such technique. The video project allows students the opportunity to review the subject material, internalize what was learned and then demonstrate this learning. The project expands student thinking about what business law is. Rather than looking at legal concepts as arcane concepts created from distant case law, the video project connects the law to people and activities that students can relate to.

As a collaborative exercise, the video project has also been a success. Students observe other groups' video content and discuss the effectiveness in communicating legal concepts accordingly. This project prompts students to think about the legal principles included in their video and the impact of the conveyance. The assignment was refined overtime to address the traditional challenges of group projects (Abril, 2016). Based on feedback and networking with other educators, periodically, we have refined the project instructions and rubric to enhance the students overall learning experience. These enhancements include adding a second draft script submission with a follow-up meeting with the instructor to improve critical thinking skills and final product outcome. We also added a mid and final "peer review" submission in each group to enhance and improve accountability among students. We have also given the students the option to allow the professor to use their final video project (if selected) as a teaching tool for future classes. Many former students have told their instructor that they hope their video would be chosen as an example for a future class. Students have expressed appreciation for being recognized for exemplary work. With adjustments, the overall quality of the video projects submissions has increased accordingly.

In this business law course, the video project has been a successful tool for creating a connection with abstract concepts, increasing

collaboration skills, motivating students to invest in their own learning and in creating an enjoyable experience for students. As in other disciplines, video projects can assist legal educators in constructing active learning opportunities for their students.

References

- Abril, P. (2016). Reimagining the Group Project for the Business Law Classroom. *Journal of Legal Studies in Education*, 33 (2), 235-262.
- Bargh, J. A., & Schul, Y. (1980). On the cognitive benefits of teaching. *Journal of Educational Psychology*, 72, 593-604.
<http://dx.doi.org/10.1037/0022-0663.72.5.593>.
- Benware, C. A., & Deci, E. L. (1984). Quality of learning with an active versus passive motivational set, *American Educational Research Journal*, 21, 755-765. <http://dx.doi.org/10.2307/1162999>.
- Bonwell, C.C. & Eison, J. A. (1991). *Active Learning: Creating Excitement in the Classroom*, ASHE-ERIC Higher Education Report No. 1. The George Washington University, School of Education and Human Development, Washington, DC.
- Burn, A., Brindley, S., Durran, J., Kelsall, C., Sweetlove, J., & Tuohey, C. (2001). The rush of images: A research report into digital editing and the moving image. *English in Education*, 35(2), 3447.
- Frاند, J. (2000). The information-age mindset: Changes in students and implications for higher education. *Educause*, 35(5), 1419.
- Greene, H. & Crespi, C. (2012). The Value of Student Created Videos in the College Classroom – An Exploratory Study in Marketing and Accounting. *International Journal of Arts & Sciences*, 5(1), 273-283.
- Hofer, M., & Owings Swan, K. (2005). Digital moviemaking—the harmonization of technology, pedagogy and content. *International Journal of Technology in Teaching and Learning*, 1(2), 102110.
- Hoffenberg, H., & Handler, M. (2001). Digital video goes to school. *Learning and Leading with Technology*, 29(2), 1015.
- Hoogerheide, V., Deijkers, L., Loyens, S., Heijltjes, A., & van Gog, T. (2016). Gaining from explaining: Learning improves from explaining to fictitious others on video, not from writing to them. *Contemporary Educational Psychology*, 44(45), 105-106.

-
- Hoogerheide, V., Lyons, S. & von Gog, T. (2014). Effects of creating video-based modeling examples on learning and transfer. *Learning and Instruction*, 33, 108-119.
- Kearney, M., & Schuck, S. (2003). Authentic learning through the use of digital video, in W. Au and B. White (Eds.) *Proceedings of the Australian Computers in Education Conference*. [CD-ROM].
- Lombrozo, T. (2012). Explanation and abductive inference. In K. J. Holyoak, & R. G. Morrison (Eds.), *Oxford handbook of thinking and reasoning*, 260-276. Oxford, UK: Oxford University Press.
- Madison, III, B. (2017). *The Elephant in the Law School Classrooms: Overuse of The Socratic Method as an Obstacle to Teaching Modern Law Students*. *University of Detroit Mercy Law Review* (85), 293
- McHale, T. (2005). Portrait of a digital native: Are digital-age students fundamentally different from the rest of us? *Technology & Learning*, 26 (2), 33.
- Parker, D. (2002). Show us a story: An overview of recent research and resource development work at the British Film Institute. *English in Education*, 36(1), 38 44.
- Renkl, A. (1995). Learning for later teaching: an exploration of meditational links between teaching expectancy and learning results. *Learning and Instruction*, 5, 21-36. [http://dx.doi.org/10.1016/0959-4752\(94\)00015-H](http://dx.doi.org/10.1016/0959-4752(94)00015-H).
- Ryan, S. (2002). Digital video: Using technology to improve learner motivation. *Modern English Teacher*, 11(2), 7275.
- Schuck, S. & Kearney, M. (2004). Students in the director's seat: Teaching and learning across the school curriculum with student-generated video (Research Report). Retrieved from University of Technology, Sydney, Teacher Learning and Development Research Group website:<http://epress.lib.uts.edu.au/research/bitstream/handle/10453/14209/SchuckKearney.04.pdf?sequence=1>.
- Sivan, A., Wong Leung, R., Woon, C. & Kember, D. (2000). An Implementation of Active Learning and its Effect on the Quality of Student Learning. *Innovations in Education and Training International*, (37)4, 381-389, DOI: 10.1080/135580000750052991
- Stuckey, R., et al. (2007). *Best Practices for Legal Education* available at http://cleaweb.org/documents/bestpractices/best_practices-full.pdf

Tapscott, D. (1998). *Growing up digital: The rise of the net generation*. New York: McGraw- Hill.

Appendix 1 Assignment Instructions

BLAW 2080 — Spring 2016

Group Video Project – Final Project due April 18, 2016 (online via Blackboard by 11:59 p.m.)

100 points



Lights, Camera, Legal Action



Objective: Create a long-term impact by documenting learning through multi-media movie making tools. In this lesson, students will create an instructional video based on an instructor approved legal topic covered in BLAW 2080.

1. Creativity and Innovation- Students demonstrate creative thinking, construct knowledge, and develop innovative products and processes using technology. With a finished product, each group will have a quality piece of work that allows students to review a specific BLAW legal topic.
2. Critical Thinking, Problem Solving, and Decision Making- Students use critical thinking skills to plan and conduct legal research, manage project, solve problems, and make informed decisions using appropriate digital tools and resources.

Assignment

Each group has the task of creating an instructional video and accompanying script/storyboard based on an instructor-approved legal topic covered in this BLAW 2080 course. The format of the video can be in a

variety of formats, including but not limited to, a demonstration of an ongoing or settled legal matter, an infomercial, a musical performance, skit or other instructor-approved presentation. Your group video project should present the legal topic so that viewers would learn the basic elements or fundamentals of that legal topic. Accordingly, some legal basis has to be included in the final product (e.g., Constitutional right, statute, regulation, case law, etc.). See the attached evaluation rubric for grading. Moreover, as part of the process and to keep each group accountable, each group will provide the instructor with a “script/storyboard” by the deadline provided.

Task	Due Date	Deliverable
Choose Group Members	February 19, 2016	Present group member composition to instructor for approval
E-Media Guest Speaker	February 22, 2016	Attend presentation
Choose Group Topic	March 1, 2016	Present group topic to instructor for approval
Complete Script/Storyboard Draft	March 18, 2016	Submit script/storyboard draft to instructor for comments and instruction
Video Production Week	April 11-15, 2016	Work with group members to complete video production
Video Project Submission	April 18, 2016	One member from each group to submit final video project via Blackboard before 11:59 p.m.
Video Project Movie Day	April 20, 2016	Screening of all group video projects in class

Materials Used:

- Video camera/Flip Video
- Various editing tools and links (to be discussed in detail with UCBA E-media professor on 2/15/2016)
- https://www.wevideo.com/academy?utm_campaign=Education+trial+nurturing&utm_source=hs_automation&utm_medium=email&utm_content=24845719&_hsenc=p2ANqtz-8osXnNfPVF0vpRHuGe8AvaRuh9FUcJley_qbKQJWNW7uyrx1mFdeeQFL4-wkw0l9P5fUv6EJqecmoGmZ56Zlrx0z6Yg&_hsmi=24846041

This one is for editing in WeVideo (a powerful, yet easy-to-use, cloud-based collaborative video).

- Import photos and videos from your iPhone, iPad, or iPod touch to your computer (<https://support.apple.com/en-us/HT201302>)
- 8 easy ways to transfer photos off your Android smartphone (<http://www.digitaltrends.com/photography/best-ways-get-photos-android/>)
- <https://www.youtube.com/watch?v=Sl6iZBDS3gc>
- <http://video101course.com>
- Optional Items: Props and other effects for video production

Evaluation

The students were given a copy of the attached video project rubric for grading assessment.

Appendix 2
BLAW Spring 2016 - Evaluation Rubric for Video Project

Performance Level	Needs Improvement	Satisfactory	Excellent
Group Cooperation 10 points	Students needed to be reminded to stay on task frequently. One or two people did all the work. Students argued with one another or left some students out of the process. 0-4 points	All students contributed a fair share to the project, though some workloads varied. Students had to be reminded occasionally to stay on task. Students made an effort to include all group members in the process. 5-7 points	All students contributed equally to the video. Students stayed on task at all times. Students worked with each other in a friendly manner. 8-10 points
Storyboard/Script 20 points	Students did not complete a storyboard or storyboard did not match video. 0-5 points	Students completed the storyboard on time, but some items are not thoroughly described. Storyboard matches the video. 6-15 points	Students completed storyboard on time. Storyboard is thorough and matches the video. 16-20 points
References/ Documentation 10 points	There is no documentation. 0 points	Most of the elements taken from other sources are documented; however, some documentation may be inaccurate or missing. 1-7 points	All elements from other sources are accurately documented. 8-10 points
Subject Content 30 points	Subject knowledge is not evident.	Subject knowledge is evident in much of the video. Most	Subject knowledge is evident throughout the

(See Prof. Redmon for individual group criteria)	Information is confusing, incorrect, or flawed. 0-10 points	information is clear, appropriate, and correct. 11-20 points	video. All information is complete, clear, appropriate and correct. 21-30 points
Video Production 30 points	Video is of poor quality and is unedited. There are no transitions added or transitions are used so frequently that they detract from the video. There are no graphics. 0-10	Tape is edited. A variety of transitions are used and most transitions help tell the story. Most of video has good pacing and timing. Graphics are used appropriately. 11-20 points	Tape is edited. Video runs smoothly from shot to shot. A variety of transitions are used to assist in communicating the main idea. Shots and scenes work well together. Graphics explain and reinforce key points in the video. 21-30 points
Total 100 points			
Project Grade/Comments			