

Innovational Teaching Approaches in Law: Strategies for Success

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Abstract: This paper has been penned down with the aim of analyzing the existing requirements for a lawyer to become a good lawyer. The Legal profession requires deep knowledge as well as practical application of law. The legal education involves in various roles within the profession like advocate, attorney, judge, legal advisor, para legal etc. etc. Apparently, it is considered that earning a degree of LLB or successfully completing the bar vocational examination is enough to become a licensed legal practitioner while with digitalization the mode of life has turned out a new phase. The shift in perspective has created new challenges in legal profession hence, dramatic changes in the world of legal profession are also being observed. Such changes have created complexities which need to be dealt with advanced approach. Through this paper, it has been strived to represent new ideas to make the law teaching more effective and synchronized with the recent era. The legal profession possesses social prestige that also needs to be improved via taking revolutionary approach in teaching. Accordingly, this paper will highlight the transformative concepts of teaching which can help to make the upcoming life of a legal professional successful.

Key Words: *Innovational, traditional, e-learning, Clinical learning, stimulation, experiential*

1. INTRODUCTION

The law profession has passed through various stages of development. During this process, the profession adapted significant progress in both skills and education. The legal education demands a balance between skills and academic training. In this sense, it is better to state that the legal profession does not only need academic knowledge¹. Notwithstanding, 'learned is not given, it is earned'. A learned is to epitomize skills and qualities through legal training. It must be grounded in one's knowledge of law and be able to translate that into action to benefit society². Lawyer as protector of law contributes to administer justice in society but faces complex challenges.

In these circumstances, it becomes the responsibility of teachers to make the future lawyers capable to deal with career complexities rigorously. Hence, an innovational approach is required for the development of professionalism through sustainable relationship between law educators and students. In this regard law schools move beyond traditional approach of teaching, no doubt it remains an effective method for teaching law. But the traditional approaches rely on classrooms where theoretical knowledge and doctrinal study dominate. This method is also known as Didactic Approach, refers to method of instruction in which teacher disseminates knowledge to students.

The traditional approach is basically a teacher – centered approach where the teacher is an authoritative figure with the students as mere

or skills but it also requires students to act and feel like a lawyer.

A lawyer should be creative, emotionally strong, fair in judgment, firm, and patient, passionate, compassionate. In addition, a lawyer should be responsive, have arguments and critical thinking skills. All these qualities are acquired through long legal training which earns a lawyer the status of LEARNED

recipient of listening information³. It also includes case method which is based on analysis and discussion on landmark court cases. The case method popularized by Harvard Law School, emphasizes learning through judicial decisions⁴. Alongside, traditional approach focuses text book, moots/mock trials, assessments. It aims to develop analytical, critical and problem-solving skills which may not fully equip students for actual law practice. Thus, to meet the grounded challenges of the globalized era adaptation of more effective approach in the discipline of law is the basic requirement. The innovational approach which would stipulate closer contact between law educator and student encouraging active learning. In fact, it prerequisite blends of theoretical and innovational approaches aiding students for real-world problems.

Truthfully, the majority of the curriculum is based on theory which students find uninteresting. It needs the creation of curriculum and programming that seeks to bridge the divide between what we might call book learning and learning – by – doing⁵. This integration of doctrine and practical can not only make the studies interesting but also can build

professional abilities even more-stronger. Innovative instruction is inescapable because it became the soul of teaching and learning in today's classrooms. The traditional instruction is a teacher centered approach is becoming a mark in the past professors today have many alternatives to communicate the ideas and elements of knowledge successfully⁶.

In this paper new ideas related to the modern methods of law teaching have been tried to be presented. Of course, it would be tough for both educators and students to take up the innovational approaches directly thus, in this sense integration would be useful which can gradually be shifted into innovational level introducing latest methods. Infact the aim of writing this article is not to criticize the traditional approach of law teaching or favoring the innovational approach but the actual motive is to support the introduction of innovational approaches making law teaching practical as in a 1992 report an American Bar Association task force on law schools and the profession (here-in-after Mac Crate Report spoke, yet again to the "gap" between the teaching and practice segments of the profession. Though, task force realistically concluded that the law schools and the practicing bar have different missions to perform, and that the law schools cannot reasonably be expected to shoulder the task of converting even very able students into full-fledge lawyers⁷.

2. LITERATURE REVIEW:

Innovational approaches in law teaching are transforming the way of learning. Now, the literature on law teaching emphasizes the effective approaches of teaching to prepare students for future challenges.

Whenever, the law education is analyzing some significant documents must come into discussion. these documents have contributed to shape up the legal education otherwise, it was informal focusing in apprenticeship. It would not be incorrect to mention that the formal measures towards the development of legal education had been taken during 19th century. In 1907 the legal education Act laid the foundation for contemporary legal education by introducing the bar occasional course in United Kingdom.

2.1 THEORETICAL VS PRACTICAL KNOWLEDGE

For the virtual rupture of relations between legal theory and practice has been widely noted and has been the subject of intense and increasing concern⁸ The relationship enables a violent disagreement regarding the assignment of responsibility for this situation: practitioners blame the theoreticians condemning their work for its sterility, preciousity and banality, theoreticians reply by accusing the practitioners of vocationalism and parochial is and a total of absorption

in technical matters⁹. In this regard, the integration of theoretical and practical approaches was a significant measure. It has been observed through the publication of Ormond report in 1971. It recommended the substantial changes in legal education similarly the Mac Crate Report which was published in 1992 recommends narrow focus on analytical skills while adopting practical skills. Here it is important to mention that the Ma Crate Report influenced legal education globally, encouraging educators to update curriculum and teaching methods. Hence, the integration of theoretical and practical approaches put significant impact on the improvement of law teaching for preparing the students to deal with the demands of modern era.

2.2 HAND – ON APPROACH

When the innovational approach in law teaching is discussed according to the demands of recent time, it brings several development approaches in mind for instance, hand-on approach where students learn by directly participating real-world experiences. The hand-on approach develops the skills of applying theoretical knowledge to practical problems. In this manner, law schools have incorporated various methods such as mediation, mooting, mock trials, clinical legal education and externships to adopt the growing popularity of experiential learning¹⁰.

In the study of Hand – On approach, David Kolb Theory is unavoidable that states, "Learning is the process whereby knowledge is created through the transformation of experience". This theory presents a way of structuring and sequencing the curriculum and indicates, in particular how a session or a whole course may be taught to improve student learning. It suggests that learning is cyclical, involving four stages sometimes referred to as seeing/ feeling, watching/ reflecting, thinking and doing¹¹. It is significant to state that the Hand-On Approach is applied in law teaching in the form of Internship. Therefore, internship is considered the best opportunity for students to apply theoretical knowledge in real – legal – world. It is the approach which helps in building network opportunities with legal professionals and developing a sense of professionalism that can never be reproduced in classroom.

2.3 DIGITAL PEDAGOGY

As, it has been mentioned earlier that digitalization has put a crucial impact on law teaching. It has become a major reason of innovational approach in both teaching and learning. Introduction of digital pedagogy has transformed the traditional model of law teaching with the more interactive learning experience. The literature on digital platforms for education particularly in legal studies highlights their transformative potential and inherent challenges. Scholars and practitioners have emphasized the significance of digital technology in democratizing access to education with particular focus on its application in professional disciplines such as law¹².

2.4 MULTIDISCIPLINARY APPROACH

The legal education has traditionally emphasized on doctrinal study but this approach focuses too narrowly on real - world - complexities. It neglects increasingly interconnected global issues hence, to enable the law students to understand the globalised society it is necessary to increase interdisciplinary approach.

In the literature of innovational approaches of law teaching it is noteworthy to state that in 17th and 18th century Europe, scholars adhering to the so-called rational jurisprudence approach developed the idea of creating a deductive method in legal analysis. This method sought to state legal rules with the same priority and level of generality of mathematical theorems creating coherent principles that were self consistent and finding a logical structure and methodology from within the legal system. The scientific method of these scholars did not borrow from social sciences or other disciplines. Rather it attempts to emulate these disciplines gaining autonomy and independent status from them or in some cases, even helping to set up the overarching inquiries in these areas of study¹³. While the law interconnects with almost every aspect of society in other words it directly or indirectly connects with all aspects of human life. Therefore, over the past few decades there has been increasing focus on the multidisciplinary approach to legal education which concerns the use of knowledge from other disciplines in the learning of law¹⁴. The cross- disciplinary approach can help to develop problem- solving innovational abilities in future lawyers. It is also necessary to point out that legal scholar and practitioners always pay attention towards social issues. Thus, the cross disciplinary approach can ensure them that law serves the society in the best way. Legal education is a complex amalgamation of domains from other disciplines which enhance our knowledge on the nature of the law and its effects on the society. As laws change, they become more important to look at how they intersect with other areas including political science, sociology, economics, psychology etc. This interdisciplinary enables richer examinations of the legal affairs and better understanding of peoples' actions, society's standards and economic motivations¹⁵.

3. METHODOLOGY

This research article employs qualitative methods to analyze the innovational approaches in law teaching. It focuses on perceptions, ideas and understanding rather than rely on numerical data. It has provided an opportunity to researchers to examine how innovational teaching methods can be more effective for students in comparison to the traditional approach. Through this paper researchers have tried to focus on how or why innovational approaches can integrate and replace traditional approaches. In short, this research is based on rich descriptive data which has been analyzed critically interpreting the implementation of innovational approaches in law teaching to equip students with strategies of success.

4. RESEARCH QUESTIONS

In this paper the following questions have been arisen.

1. Whether innovational approaches in law teaching transforming traditional legal education?
2. What are the challenges in the implementation of innovational teaching methods?
3. Can innovational approaches in law teaching enhance critical thinking and problem- solving skills?
4. Whether interdisciplinary approach can improve the understanding of law students with real world legal issues?

5. THEORETICAL STATEMENT

The theoretical statement of this research states, that innovational approach in law teaching would help achieving better results through deeper understanding of legal concepts rather than traditional instructions.

6. DISCUSSION

6.1 INNOVATIONAL APPROACHES OF LAW TEACHING

Teaching in the discipline of law is always remained important because it promotes rule of law and justice in society. Especially, today in 21st century we are living in an age where society is more eager to take legal action to settle disputes. The society is so keen on its individual rights and very prepares to advocate for those rights¹⁶. Consequently, adopting the innovational approaches in law teaching are highly significant because the traditional approach is entirely lecture - based which limits the understanding of students about real - world problems. It provides the theoretical knowledge while the contemporary legal system demands practical skills which can only be acquired by shifting towards innovation approaches. Implementation of innovational approaches in law teaching can make it effective and efficient in achieving desired objectives. The following are some methods of innovational approaches in law teaching which have been tried to analyze in scholarly manner.

6.1.1 STIMULATION – BASED APPROACH

The stimulation-based method of instruction is that innovational approach which bridges a gap between theory and practical. Stimulation can be defined as the recreation of credible situations in a controlled environment for learning purposes. It is not simply a role play, but a structured methodology that places the students at the centre of the educational process¹⁷. In other words, the stimulation- based learning is model - centered learning instead of conventional teaching which is lecture-centered. In stimulation- based learning SBL, critical learning is often nurtured through reflection and debriefing¹⁸. After the stimulation activity students usually participate in a debriefing session where they can reflect on their actions, the decisions they made, and the reasoning behind these

decisions. This reflection process is pivotal in developing critical thinking as it enables students to assess the efficiency of their thought process and decision-making strategies¹⁹. This practice empowers student's abilities of thinking analyzing and making better decisions in future. Stimulation based learning is playing a great role as it makes legal education more practical and engaging.

The common methods of stimulation-based teaching in law are,

6.1.1 (a) Moot Court

Moot Courts generally called Mooting is a stimulated Judicial proceeding usually involves appeals or constitutional cases. It is an innovational approach in law teaching which bridges gap between theoretical knowledge and practical skills through practicing hypothetical legal matters.

6.1.1(b) Mock Trials

The mock trial is a stimulation- based strategy of teaching law. During a mock trial, a real courtroom proceeding is stimulated. Students take on different roles like lawyers, judges, witnesses and act out on hypothetical or real cases. It is an effective and innovational approach that prepares the students for real life challenges.

6.1. 1 (C) Advising Clients

Advising clients is a practice - oriented innovative approach of legal education. This stimulation teaches learners how to build professional relationship maintaining confidence and ethics with clients.

6.1.1(d) Negotiation Session

This stimulation approach is unique in the sense that students learn the art of resolving disputes through dialogue rather than litigation. Under the supervision of their teachers, learners take on the roles of opposite parties or legal counsel to negotiate on hypothetical legal matters. It also builds essential skills such as communication, persuasion and compromise.

6.1.1 (e) Arbitration and Mediation

Arbitration and mediation are innovational approaches of law teaching that expose learners to Alternative Dispute Resolution (ADR) mechanism beyond conventional classroom teaching.

6.1.1 (f) Legal Drafting Stimulation

By practicing stimulated legal drafting exercises learners gain experience of translating theoretical knowledge into effective written communication. It is the approach that enhances the drafting skills for example contract, petitions, agreement, affidavits etc., etc.

6.1.1 (g) Case Study Stimulation

Case study stimulation is another stimulation-based learning approach that familiarizes students with legal principles, courtroom behavior and procedure. In safe learning environment learners go through the roles of judges, lawyers or clients studying actual or hypothetical cases to understand how legal education apply in real world.

6.1.2 CLINICAL LEARNING EDUCATION

To improve the Standard of legal education legal clinic is one of the modern approach, Nafeer A. Malik ASC, the Principal of Quaid-e-Azam Law College and, Chairman legal education committee High Court Bar Association

2011-12 writes in his paper Clinical Legal Education that, Clinical Legal Education is an educational program grounded in an interactive and reflective teaching methodology with the main aim of providing law students with practical knowledge, skills and values for the delivery of legal services and social justice.

It would be true to state that this approach is 'Learning By Doing' instead of Learning by means of traditional lectures, The students are much more proactive participants in clinical legal education programs²⁰. In recent era the clinical legal education is an emerging global movement to integrate practical training with academic education. This approach contrasts with traditional approach of law teaching as it allows students to act like lawyers rather than just think like lawyers. In this manner, clinical education is defined as the training of law students in such a way that they may be equipped with certain skills and techniques. These skills and techniques make them proficient to deal with challenges during practice²¹. Here, it is essential to mention that clinical legal education in Pakistan has attained formal attention after the landmark judgment of the Supreme Court in 2018. The judgment laid down various standards for the improvement of legal education and emphasized the inclusion of professional training in the curriculum. Further, the judgment provided an impetus for law schools to take a step forward from traditional teaching to modern teaching methods by incorporating clinical legal education in their curriculum²².

6.1.2(a) INTERNSHIP

Internship is an example of blending traditional and innovation approaches of legal education. In the context of clinical legal education, internship is a mandatory practical technique. Internship is based on "Learning By Doing" approach providing the knowledge of real legal world. Infact, internship is a crucial component of the legal education that empowers the learners with critical professional skills like client interviewing, legal counseling, negotiation, advocacy as well as a deeper understanding of ethical considerations and social justice issues within a legal system²³.

In this manner, the words of Chief Justice Burger are noteworthy, in his speech to the American College of Trial Lawyers in Columbia that, in certain jurisdictions, up to half of the lawyers who appear in court are so poorly trained that they are not properly performing their job and that their manners, professional performance and professional ethics offend a great many people. They are participating in on - the job training at the expense of the public and their clients' interests²⁴.

6.1.2(b) LEGAL AID CLINIC /SOCIETY

Except for, internship, Legal Aid Clinic is crucial to the training of future lawyers. It gives pupils a platform to learn and comprehend the law. Student involvement in legal aid initiatives teach them about the intricacies of the legal system²⁵. The role of legal aid society or clinic has of significant value as it ensures access to justice providing free or low cost legal services. Such clinics or societies run by students, faculty while sometimes with the collaboration of lawyers and NGOs.

In modern educational setup the role of legal aid clinics or societies is mandatory as they not only build

professionalism but also contribute in the promotion of social justice. In other words, the clinic is a method of approaching law as a whole rather than a section of either its substantive or procedural aspects. It offers us study of a most complicated mental process. One certainly may teach the practice of law through the clinical method. Given enough material, one may also teach any field of substantive law by the same method. In a given clinic case the student frequently learns for more substantive than he does procedural law. But it is not a course in substantive law. It deals with a living case. It is a matter of planning a campaign and carrying it out. The goal is a satisfied client rather than a gratified instructor²⁶.

Besides, internship and legal aid society or clinic there are few other methods of clinical legal education such as mootings, mock trials, stimulation exercises, court visits which have already been discussed in stimulation-based-learning. These methods are equally included in stimulation-based-learning and clinical legal education.

7. E-LEARNING APPROACH

In innovational approach of law teaching, e-learning refers to the use of technology and online platforms. The e-learning is that innovational approach which has changed the traditional approach of classroom-based methods. It also helps in blended learning where traditional method of law teaching is combined with online methodology. It is important to keep in mind that, since the start of 2020 educational institutions around the globe have been modifying and adapting new form of practice, many of which were forced upon these institutions by the COVID-19 pandemic²⁷. This transition of traditional classroom-based teaching to e-learning created effective use of digital platforms in law teaching.

7.1 FLIPPED CLASSROOM APPROACH

The flipped classroom is an innovational approach which is student-centered. Such approach is increasingly in use in law teaching. In this way of teaching students understand theoretical content such as case laws, statutes and legal principles through recorded lectures or online sources before class. This approach increases the student's engagement in individual manner and it has transformed the role of lecturer into facilitator. It is also significant that this approach has made the classroom an amazing place for applying theoretical knowledge. The pre-class preparation helps students engaging more deeply during class.

7.2 VIRTUAL COURTS

The integration of digital and technological methods with law teaching is an innovative approach. As, the e-learning has removed the geographical barriers similarly, this integration provides opportunity of participation to students from different regions. In 2021 academics from the Open University (OU) Law School

started a project to develop a virtual courtroom (VCR). The aim was to create an immersive virtual environment that gave students a realistic experience of a modern courtroom within which they could interact with other students. The purpose of the court room is for students to come together to collaborate and undertake classroom advocacy. AI and virtual courts proceedings have increasingly integrated into legal system therefore it has become a heavy responsibility of educators to evolve students with AI and virtual environment. The Virtual Reality (VR) and Artificial Intelligence (AI) are modern approaches of law teaching. The artificial intelligence (AI) is revolutionizing legal education by reshaping traditional methods of teaching, learning and professional preparation²⁸ similarly participation in virtual court sessions is also enhancing the advocacy skills of students and preparing them for the emerging trends of online judicial proceedings.

7.3 ONLINE UNIVERSITY LEGAL CLINIC

In the context of clinical legal education, online university legal clinics can offer law students valuable practical experience in working with clients and providing legal advice through digital channels²⁹. It is an innovational approach that connects students with real world legal issues. In short, an online university legal clinic is a virtual platform which enables students to provide free legal assistance to underprivileged clients under the supervision of faculty members. The online university legal clinic not only provides accessible legal aid but also promote social justice in society. The exclusiveness of this approach is that the students interact with clients via digital tools.

8. MULTIDISCIPLINARY/INTERDISCIPLINARY APPROACH

Law is both multidisciplinary and interdisciplinary. Law is multidisciplinary. In its interfaces with other professions, it defines what is permissible and forbidden in the relationship between individuals and their peers, regulates their relations with government and civil society organizations³⁰. Infact, the study of law can be made more thorough, responsive to societal requirements and holistic by using a multidisciplinary approach³¹. It means that law interacts with other disciplines integrating knowledge to better understand the legal issues.

Law is also interdisciplinary combining trade and economic relations, social issues and culture. Even delves extensively into the most intimate aspects of our lives – health, welfare, education, housing, employment, social security and family. The legal practice areas reflect the current situation, which is the product of historical developments, shaping our cultural, social, economic, and political and security future. Consequently, we expect to find a natural academic and practical connection between law, culture, philosophy, society science, history, the media and virtually any discipline dealing with human being³². The Integration of multi disciplinary and interdisciplinary approaches with law can produce all - rounded legal professionals equipped to meet the demands

of the recent era. In this regard integrated concepts perspectives and methodologies are required to be adopted by law educators. Here, feels pride to mention that the School of Law University of Karachi focusing on this approach. Concerning this, a workshop has been organized to train the faculty on the “Awareness and Capacity Building of Law Faculties on Conducting Socio - Legal Quantitative – Research.

9.. FINDINGS

- The Innovational approaches bridge the gap between theoretical knowledge and practical skills.
- It also finds out those innovational strategies help in developing personal abilities like, critical thinking, problem – solving etc.
- Stimulation – based approaches remove hesitation and increase confidence level of students.
- The Innovational approaches create teamwork attitude among students.
- Findings indicate that innovational approaches help to integrate with digitization increasing accessibility and engagement to real- legal world.
- The integration of law with other disciplines for example sociology, psychology, public administration, political science, and business etc. increases ability of understanding with real world problems. It prepares students to participate in society for the promotion of justice and rule of law.

10. RECOMMENDATIONS

1. Incorporation of technology and digital pedagogy in legal education like teach students with innovative and digital research platforms using AI.
2. Include experiential strategies such as clinical programs, stimulation, field projects etc to develop critical thinking, analytical and practical skills.
3. Provide recorded lectures before class enabling students to participate in class discussions.
4. Establish digital research libraries to explorer new legal reforms.
5. Conducted faculty development programs like, workshops and seminars.

CONCLUSION

The research article concludes that the innovational approaches in law teaching have revolutionized the way of delivering legal education. Moot Courts, virtual courts, online university legal clinic, flipped classrooms are transforming the legal education from traditional lecture – based, teacher- centered approach into a dynamic innovational approach. This approach bridges the gap between theoretical knowledge and practical skills. The adaptation of these innovational approaches encourages students towards active participation, teamwork as well as enhances individual abilities like - critical thinking, advocacy, problem solving skills which

are essential for the success in the legal field.

To consider the innovational approaches as alternative strategies in law teaching would be excessive infact, these approaches are essential in today’s challenging globalized world. Innovational development in legal education sector has also evolved the role of law educator. Now, the law educator is facilitator and mentor who contribute to prepare students in dynamic and practical manner. It concludes that a balanced integration of conventional and innovational approaches can produce effective efficient legal education system.

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