Is SIMPLE that simple?
Part 1
- Some background theory
- What does SIMPLE do?
- Three case studies:
  - Personal Injury Transaction (Strathclyde U)
  - Torts Project (Glamorgan U)
  - Management Science Project (Strathclyde U)

Part 2
- Discussion: drivers & blockers to creating and using simulations
signature pedagogies (Lee Shulman)

Surface structure
- Observable, behavioural features

Tacit structure
- Values and dispositions that the behaviour implicitly models

Deep structure
- Underlying intentions, rationale or theory that the behaviour models

Shadow structure
- The absent pedagogy that is, or is only weakly, engaged

transforming the pedagogy...?

**Experience of...**
- law in the world
- interdisciplinary trading zones
- creative, purposeful acts

**Ethics in...**
- an integrated curriculum
- habitual action
- reclamation of moral spaces in the curriculum

**Technology for...**
- our discipline, our curricula
- learner-centred control
- transactional learning

**Collaboration between...**
- students
- institutions
- academic & professional learning
- open-access cultures

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*Transforming Legal Education: Learning and Teaching the Law in the Early Twenty-first Century*

Paul Maharg
What does SIMPLE do?
simulations…

- Are **close to the world of practice**, but safe from the (possible) realities of malpractice and negligent representation.
- **Enable students to practise legal transactions**, discuss the transactions with other tutors, students, and use a variety of instruments or tools, online or textual, to help them understand the nature and consequences of their actions.
- **Facilitate a wide variety of assessment**, from high-stakes assignments with automatic fail points, to coursework that can double as a learning zone and an assessment assignment.
- **Encourage collaborative learning**. The guilds and groups of players in multi-player online games can be replicated for very different purposes in HE.
- Students begin to **see the potential for the C in ICT**; and that technology is not merely a matter of word-processed essays & quizzes, but a **form of learning that changes quite fundamentally what and how they learn**.
transactional learning...?

A mode of learning knowledge, skills, values, ethics:

**active learning**
through performance in authentic transactions
involving reflection in & on learning,
deep collaborative learning, and
holistic or process learning,
with relevant professional assessment
that includes ethical standards
general aims of the SIMPLE platform

- *personalized learning* in a professional environment
- *collaborative learning*
- use of *simulation spaces* in programmes of study, and the relation between simulation spaces and other learning spaces on a programme, including paper-based and online resources, face-to-face classes, and administration
- use of *rich media* in online simulations – video, graphics, text, comms., etc.
- *authenticity* in the design of simulation tasks, and effective *assessment* of professional learning
what has the SIMPLE project done?

- Provided academic staff in UK universities with software tools to design and build simulations and collate all of the resources required
- Developed teaching, learning and assessment templates, including curriculum guidelines
- Enabled communication between students and simulated characters/staff
- Enabled monitoring and mentoring functions
- Evaluated student and staff experiences in using the simulation environment
<table>
<thead>
<tr>
<th>Discipline</th>
<th>Degree programme</th>
<th>Institution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architecture</td>
<td>BSc (Hons) / year 3</td>
<td>Strathclyde U. (1)</td>
</tr>
<tr>
<td>Management Science</td>
<td>BA (Hons), year 1</td>
<td>Strathclyde U. (1)</td>
</tr>
<tr>
<td>Law</td>
<td>Diploma in Legal Practice, p/g</td>
<td>Strathclyde U. (6)</td>
</tr>
<tr>
<td>Law</td>
<td>LLB, year 1 + p/g Masters</td>
<td>Glamorgan U. (2)</td>
</tr>
<tr>
<td>Law</td>
<td>JD, years 2 &amp; 3, p/g</td>
<td>U of New Hampshire (2)</td>
</tr>
<tr>
<td>Law</td>
<td>Diploma in Legal Practice, p/g</td>
<td>Australian National University (4)</td>
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SIMPLE - what is it?

SIMPLE has two parts:

- **Toolset**
  - Enables academic member to build simulation ‘blueprint’ and collate all the resources required for the sim
  - Provides potential for simulation import / export

- **Platform**
  - Students work with each other and staff in transactions
  - Allows for highly structured, closed boundary simulations as well as loosely-structured, open-field simulations
correspondence platform
virtual town directory (optional)
map of virtual town (optional)
### Supports bounded and open transactions

<table>
<thead>
<tr>
<th></th>
<th>Bounded field, <em>ie</em> transaction tends to...</th>
<th>Open field, <em>ie</em> transaction tends to...</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <strong>Learning outcomes (LOs) &amp; assessment</strong></td>
<td>Precise learning outcomes, with simulation tasks based closely on outcomes – pre-defined LOs</td>
<td>Bodies of evidence required to be produced to benchmark standards, but less emphasis on pre-specified outcomes</td>
</tr>
<tr>
<td>2. <strong>Alignment with traditional learning &amp; teaching methods</strong></td>
<td>Teaching is aligned with tasks &amp; outcomes, often according to an academic structure, eg lecture-seminar; learning is heavily ‘pushed’ by curriculum structure</td>
<td>Teaching is provided where needed according to learners’ needs, often according to a professional, just-in-time learning structure; learning is ‘pulled’ by learners</td>
</tr>
<tr>
<td>3. <strong>Operational model</strong></td>
<td>Linear domain procedures, eg predictable document chain – more operationally predictable</td>
<td>More varied, open or diffuse domain procedures, eg transactional guidelines but no specific document chain – less operationally predictable</td>
</tr>
<tr>
<td>4. <strong>Student outputs</strong></td>
<td>Specific documents, drafted to specific standards, eg initial writ; fixed or correct versions expected as student output</td>
<td>Procedures that involve a variety of documentation, or documents that cannot be specified easily in advance, eg negotiated agreements; various versions acceptable</td>
</tr>
<tr>
<td>5. <strong>Resources</strong></td>
<td>Resources are tied closely to tasks and learning outcomes – highly model-driven</td>
<td>Simulation resources are not linked to tasks; learner needs to structure transaction through interactive querying of resources – highly learner-driven</td>
</tr>
</tbody>
</table>
Case study 1
Personal Injury Transaction @ Strathclyde University Law School
Administration:

- 272 students, 68 firms, 8 anonymous information sources – PI mentors
- 68 document sets, 34 transactions
- Each scenario has embedded variables, called from a document server, making it similar, but also unique in critical ways
- students have 12 weeks to achieve settlement
- introductory & feedback lectures
- discussion forums
- FAQs & transaction guideline flowcharts
- voluntary face-to-face surgeries with a PI solicitor
We require from each student firm a body of evidence consisting of:

- **fact-finding** – from information sources in the virtual community
- **professional legal research** – using WestLaw + paperworld sources
- **formation of negotiation strategy** – extending range of Foundation Course learning
- **performance of strategy** – correspondence + optional f2f meetings, recorded
Discussion forum guidelines

- Contributors to the forums should not post comments or remarks which are defamatory, obscene, profane, threatening or seditious.
- GDSL reserves the right to edit contributions, to remove potentially harmful material from the forums, and not to publish unsuitable contributions.
- Please do not post on the any personal information (such as your address or telephone number) that you do not want to become available to other students.
- Please do not include in your contribution any links or web addresses which are not directly relevant to the topic being discussed.

Discussion forum etiquette

- use clear intuitive subject headings on your message
- be concise and relevant to the subject under discussion
- if you disagree with someone else's viewpoint, be as objective as possible when replying
- if you wish to discuss something off-topic with another contributor, exchange emails and continue your discussion outside the Forum
- act responsibly, showing respect for fellow contributors at all times
I read in the FAQs that the HSE has not been informed about the accident. On the basis of having read the Executive website, it would seem that the University has breached its duty in not doing so. Are we as legal representatives under a duty to report this to the Executive? My gut feeling would say yes but I am thinking that it would not do the University any favours and may upset our client!
DLP
PI Defenders: Health and Safety Executive

From: Pltutor8
Posted At: 18/11/2004 17:52
Subject: Health and Safety Executive
Text: Good question.
No, you have no duty to report the accident to the HSE if the client hasn`t done so. You could always write and advise the client that they should have (why do you think they should have?) - don`t rely on their website, look at the legislation and let me know the legal basis for the obligation to report an accident like this) - Assume the client says "Fine, thanks for your advice but we are not doing it. What will happen to us if they find out - which they probably wont." What advice would you give then?
CH

Created at 18/11/2004 17:52 by Pltutor8
Last modified at 18/11/2004 17:52 by Pltutor8
PI transaction:
(some of) what students learned

- extended team working
- real legal fact-finding
- real legal research
- process thinking in the project
- setting out negotiation strategies in the context of (un)known information
- writing to specific audiences
- handling project alongside other work commitments
- structuring the argument of a case from start to finish
- keeping cool in face-to-face negotiations
- more effective delegation
- keeping files
- taking notes on the process...
'In tackling this project I think that our group made two main mistakes. The first mistake we made was in approaching the task as law students as opposed to Lawyers. By this I mean we tried to find the answer and work our way back. Immediately we were thinking about claims and quantum and blame. I don't think we actually initiated a claim until a week before the final settlement. I think the phrase "like a bull in a china shop" would aptly describe the way we approached the problem. [...] Our group knew what area of law and tests to apply yet we ended up often being ahead of ourselves and having to back-pedal.

The second mistake we made was estimating how long it would take to gather information. We started our project quite late on and began to run out of time towards the end. None of us appreciated the length of time it would take to gather information and on top of this we would often have to write two or three letters to the same person as the initial letter would not ask the right question.'
‘At the beginning we thought we perhaps lost sight of the fact that we had a client whom we had a duty to advise and inform. On reflection we should have issued terms of engagement and advised the client better in monetary terms what the likely outcome was going to be.’

‘[...] unlike other group projects I was involved in at undergraduate level I feel that I derived genuine benefit from this exercise in several ways:

1. reinforcing letter-writing, negotiation, time-management and IT skills
2. conducting legal research into issues of quantum
3. working effectively in a group as a group - not delegating tasks at the first meeting and then putting together pieces of work at the second meeting.’
PI transaction: tempo & complexity

1. Personal Injury Transaction
2. Private Client Transaction
3. Tax*
4. Conveyancing Transactions (Sale & Purchase)
5. Civil Court Action
6. Practice Management

Christmas Holiday
Case study 2
Torts @ Glamorgan University Law School
why a simulation?

- Staff wanted the students to be able to:
  - research law of negligence and relevant statutes, and levels of damages
  - identify issues to follow up, draft letters, complete file notes, conduct meetings.
- Staff would respond as senior partner to provide feedback at each stage.
Students had to be ‘signed off’ by their senior partner before moving on to next stage. Some had to attempt tasks more than once.

Students had to interpret facts, research and apply the law themselves.

Students had to reflect on the legal process and the law itself in their logs at the end of the simulation.
Torts module: the context

- Used as a coursework worth 40% of module for first year law students.
- Year-long module: transaction took place during almost all of term 2.
- Lectures were given, but formal tutorial sessions were suspended.
- 120 students, 27 teams of usually 4.
Based on a fictional Welsh University called the University of Cymfelin.

Estates employee has an accident falling down steps at work.

Now seeks personal injury compensation under the law of negligence.

Students expected to represent the claimant Stephen Jones or the defendant University.
- Modified Strathclyde’s PI scenario
- They started the process over an academic year in advance.
- The torts team of three staff met regularly to write the materials.
- They did not receive any help IT-wise from within the University apart from being given an web address.
They identified four states or stages:

1. **Introduction** – getting started
   (*two weeks*)
2. **Detailed research** – researching facts
   (*three weeks*)
3. **Negotiation** phase – between teams
   (*two weeks*)
4. **Resolution** – reaching a conclusion
   (*two weeks*)
forms of assessment

- One group project – the project was preserved electronically but staff asked students to print out their documents and submit as a group.

- Individual log – allowed them to reflect on the process, their contributions, what they thought of the area, any group issues.

- Project supported on Blackboard.
We then constructed swim lanes for the process. Here is a summary of the events:

**State 2**

- **Evidence gathering**
  - Investigate claim, facts and gather evidence
  - Send summary to senior partner
  - Update client through senior P

- **Synchronization**
  - Client letter outlines losses
  - Senior partner requests update

- **Evidence gathering**

- **Synchronization**
  - Witness statements, experts & contact details
  - Receive summary & give feedback as SP
  - Letter from insurer accepts liability

- **Synchronization**

- **Synchronization**

- **Synchronization**

- **Synchronization**

- **Synchronization**
We started by setting up blueprints.
roles were identified

- Glamorgan simple
Narrative Event Diagram constructed

- Glamorgan simple
Only two teams failed to complete.
- Little group work fell out.
- Students not good at hitting the interim deadlines for each stage.
- Negotiation phase did not work well. Had to go to Plan B.
- Uplift in course work results AND examination results
- Students did not really work in the classrooms, they went off to the IT labs.
- Some students stepped out of the electronic environment during the negotiation stage.
- After stage one, work very well drafted.
- Imaginative engagement with material.
- Very time-consuming to write but this should improve.
- Karen made mistakes in construction.
- Software issues which some students took badly.
- No html software so unable to product the background web sites for characters.
benefits...

- Unexpected uplift in examination results.
- Students responded well to pressure and liked the constant feedback.
- Students threw themselves into the role play and expected fast turnaround.
- Staff able to simulate a variety of roles.
- Students able to actively engage with subject matter – they liked the project.
- No issues of plagiarism.
Don’t underestimate the front loading in terms of writing the materials and loading the tools.

Students expect you to respond quickly.

People-resource intensive, more so in year 1.

Think about hosting issue.
Case study 3
Management Science @ Strathclyde University Business School
Management Science

- Management Science 1 class: 140 students in their 1\textsuperscript{st} year.

- Student can take the class as an elective or as one of their main subjects.

- Honours year student given project to develop a suitable concept and then build scenario as honour year dissertation.
Scenario involved assuming the role of a business consultant:

PVA Consulting
“Providing Real Business Solutions since 1989”

The client was a record company, *Real Records*, based in the Glasgow area and interested in running a music festival in the city.

Client needed a critical path project plan produced for the planning, organisation and running of the festival.
Real Records Organisational Chart

- Real Records Glasgow Office
  - Finance Director
    - Accounts Manager
      - Financial Planner – Andrew Jackson
        - Finance Assistants (x2)
  - Operations Director
    - Operations Manager – Ian Brown
      - Sound Engineer – Barry Stevens
        - Operations Assistants (x3)
  - Marketing Director
    - Marketing Manager – Sarah Evans
      - Marketing Assistants & Promoters (x5)
  - Sales & HR Director
    - Sales Manager – Position Vacant
      - Sales Assistants (x2)
    - HR Manager – Jacqui Speirs
      - HR Assistants (x2)
what was the format?

- Individual assignment

- Group Project
  - Staggered activities
  - Start in week 6
  - Questions by end of week 8
  - Polar task at start of week 9
  - Presentations in week 10 tutorials
how did they do this?

- Honours student developed scenario under supervision

- Uploaded the scenario, inputted all the admin (Approximately 5 hours to load users and simulations)

- Introductory session for tutors (1 hour)

- Introductory session for students in tutorials

- 3 tutors and Helyn (academic) ran the scenario, each taking between 3 and 8 groups. (between 0.5 - 3 hours each week for 3 weeks)

- Student presentations in tutorials
how did it go?

- Use of the system a little variable
- Student engagement with issue fairly high – scenario seemed popular
- Negative feedback confined to traditional group issues rather than system
- Excellent in introducing realistic information retrieval
- Standard of work/reports better than last year

- No technical problems
- System efficiency opportunities
- A significant improvement on SBG
plans for the future?

- Additional websites and information needed
- Use of variables
- More tutor resources
- Different format of tutor resources
- Possibly semester 1 group activity?

- New scenario for 1st year Business Technology Project.
key lessons learned

- The scenario idea is the most important part

- It doesn’t need to be complex or ambitious to be effective - keep it simple the first year you try it to get the hang of the approach

- The materials and prep for tutors is key
final words: 7 practical tips from staff...

- Start with a simple scenario for the first attempt.
- Run a pilot before letting students loose on it.
- Don’t underestimate the skills you might need to get things up and running.
- Begin the process of developing the scenario as early as possible.
- Think in advance about how sim responses will be managed *ie* when/who/how often: set clear guidelines to students about how this will work.
- Allow time to familiarise yourself with both the technological aspects *ie* using the tools, and also with new concepts such as the Narrative Event Diagram.
- Plan & organise well in advance
transformational pedagogies

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Beyond Text: The Arts and the Legal Academy, volume 1.
Zen Bankowski, Maks del Mar, Paul Maharg
Ashgate Publishing 2012
resources

- SIMPLE
  - http://simplecommunity.org
- Simshare:
  - http://www.simshare.org.uk
  - http://www.ukcle.ac.uk/projects/past-projects/simshare/
- More information:
  - http://paulmaharg.com
Acknowledgments:

- SIMPLE team
- Karen Counsell for case study 2
- Helyn Gould for case study 3