

Legal Transformation – an Opportunity for Cooperation at an international Level

The transformation of the legal sector has noticeably gained momentum and demands more from future lawyers than mere knowledge of the law. This poses new challenges for the legal courses of study, which have so far been characterised by a strong focus on their own discipline and national legal content.

The current changes can be an opportunity for international exchange and cooperation to successfully shape the transformation.

1. Legal training geared to national law

Legal studies - especially as far as continental Europe is concerned - have a strong focus on their own discipline. So far, this has particularly been justified by the fact that a high degree of legal expertise has to be imparted to the graduates and requiring intensive effort. This is all the more true as these graduates may have direct access to positions as leading civil servants or the judiciary.

The occupation with neighbouring disciplines was sacrificed to this orientation and it was assumed that further skills that might be necessary in a later occupational field could be acquired autodidactically. This applies, for example, to economic knowledge as well as communication and negotiation skills.

Another observation is that in contrast to most other courses of study, the study of law has a persistently strong emphasis on national peculiarities, which means that the contents differ significantly from country to country. In Germany, for example, with the exception of legal acts of the European Union, which are of course covered as relevant law, the core of legal education is the study of German law and in some cases even the study of specifics of the individual federal states (BUJ/CMS Hasche Sigle (2018)). This centrality on the study of national legal system can be explained historically and also with a view to professional regulation and has so far proven a pronounced inertia.

It should not go unmentioned that for a long time there have been supplementary courses and, in some cases, double qualifications at universities which integrate – to a significant extent – international references into the study programme or also contain courses of a general study programme. However, the typical law student - at least in Germany and comparable systems - will only devote a fraction of his efforts to these parts and pay far more attention to the study of national law as a whole.

However, it is evident that the current transformation of the legal field poses new challenges for legal education, since the lawyers of the future will have to deal with technology and new approaches during their studies in order to actively shape the changing legal market (Clyde&Co (2019), Esteban/Klotz (2017)). Just applying the applicable law will simply no longer be sufficient.

2. Integration of Legal Tech

With the technological progress in the legal environment, the demands on universities to impart future competencies are increasing (American Bar Association (2016)). One of the leading players in Germany is the Bucerius Law School, which provides a portfolio of courses for students and professionals (Hartung, D. (2018)). In addition, a number of other universities now offer lectures or seminars aimed at legal tech (Fries (2018)). At the Bielefeld University of Applied Sciences we integrate relevant content into the existing curriculum as part of the "*Legal Tech Education*" project. As part of the LL.M. program, an event on document automation takes place in cooperation with the Department of Business Informatics (6 ECTS) and the LL.B. program includes the event "*Law of Digitization*", in which expert

systems are being created by student teams in cooperation with a legal tech provider (6 ECTS). The task definitions are determined together with a corporation using methods of legal design thinking. In addition, there is an ongoing series of seminars dealing with topics regarding legal transformation. All aforementioned modules are part of the regular course of studies and credited towards the respective degrees. For legal professionals, regular workshops take place in cooperation with the Department of Computer Science at the Faculty of Technology, Bielefeld University, which has proven to be an ideal sparring partner for obtaining a technically sound view of technical developments (Hötte & Felk (2019)).

3. Legal tech as an opportunity for cooperation in legal education

However, it seems questionable whether individual offers at more and more universities are the best medium-term response to the current challenges (Katz, D. M. (2014)). The transformation of the legal field is taking place to varying degrees all over the world, as is impressively demonstrated by an overview recently published (Hartung et al. (2018)) and across the entire breadth of legal practice (Deloitte (2016), Clifford Chance (2017), Semple, N. (2017)).

With the topic of legal tech, a field has now emerged which covers the legal profession and legal education irrespectively of national borders and independently of the national legal regime in place. In this form, this is a completely new kind of development (The Law Society of England and Wales (2017)).

The task now is to rethink and redesign the training of future lawyers (McMamey, M. (2017)). Can it be right to remain in the familiar structures of the past and to follow a different path in each country or even in each individual university?

In fact, most of the questions raised by the transformation of the legal sector arise everywhere alike. Legal tech providers operate internationally and the technology used in the form of code is identical. Business models are scaled globally and legal markets are combined and treated uniformly.

Therefore, it seems obvious to take an international view of a development that is taking place on an international level, also in terms of training, and to shape it through cooperation between the various actors. If, for example, one wants to teach lawyers the basics of programming relevant to them, this is possible regardless of the jurisdiction in which they find themselves in (The Law Society Of New South Wales (2017)).

At the same time, the reorientation of legal studies should explicitly not only take the university perspective into account, but also involve practice partners from companies, consultancies and the public sector. This is because the transformation is being driven primarily by legal practice and providers of innovative solutions. Universities need to monitor, evaluate and absorb these impulses on a permanent basis in order to avoid a false course in education.

Legal transformation offers universities as well as practice partners an opportunity for cooperation at an international level that has not been possible until now. There are also a number of tangible advantages for all involved:

Advantages for universities

- Focussing on own thematic expertise in research/teaching
- Expansion of the range of studies through cooperation
- Flexibility in the compilation of study offers for different target groups
- Competitive advantage (in terms of content and time) over other universities

Advantages for practice partners

- Access to students and graduates

- Possibility of further training for professionals
- Possibility of impulses and demands on teaching
- Input from university and practice partners

Advantages for students/graduates

- High quality of teaching through constant input from university and practice partners
- International Teams
- Access to internships and jobs

4. Form of cooperation

Against this background, questions arise as to how cooperation can be organised:

4.1 Content

It must be clarified which contents can and should be part of the cooperation. Questions about the future abilities of an internationally active lawyer and the target groups (undergraduate/graduate/professionals) should be identified.

4.2 Degree of integration

Different variants of a cooperation are possible:

- Network for informal exchange at regular intervals
- Institutionalized research/teaching network
- Joint study programmes

Depending on the degree of integration, the possibilities of public funding must also be taken into account.

4.3 Form of teaching

The international approach requires a sound view on the best way of teaching:

- Platform for online courses and materials
- Blended learning structures
- Projects (in cooperation with practice partners)

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