

INTRODUCTION

When one thinks of law school, they probably think of the Contracts professor (Kingsfield) from the Paper Chase; ruthlessly grilling young want-to-be lawyers, changing everything they think and believe. Moreover, while law school is a tough road to travel for many students, the days of a professor pontificating with a chalkboard are if not over, at least changing.

Law schools, like other institutions of higher education, have experienced a great flood of technology in the last ten years. While at one point law schools might have been more resistant to change, the day has come when the world of Web 2.0 has begun to enter the law school classroom. While a radical change, it is a change that is not unexpected. Over the last decade, the internet has changed many dynamics of higher education. It was only a matter of time before those changes trickled down to law schools.

This paper will discuss the changes that have occurred in regards to the effect of social software on legal education. It will specifically look at how professors have changed teaching, how law students have changed studying, and how the law school itself has changed because of social software.

SOCIAL SOFTWARE (WEB 2.0) AND LEGAL EDUCATION

Before we begin to discuss how Social Software has changed legal education, it would be wise to take a step back and define the term "Social Software": "the use of a website to connect with people who share personal or professional interests, place of origin, education at a particular school, etc." It is also associated with Web 2.0; this term itself has been around since 2004.

Tom Riley, who coined the term Web 2.0, defined it as, "Web 2.0 is the business revolution in computer industry caused by the move to the Internet as platform, and an attempt to understand the rules for success on that new platform."

From this, we can gather that Web 2.0 and in fact social software is a model in which the internet provides a means of interacting with people, by having people directly interact with the internet. People themselves are participants in the process of this movement.

Legal education in the United States (and Canada) is based on the Socratic method, which involves the professor asking a series of questions of a single student at one time. It has been the basis of legal education in America since the 1870s. Law school is a postgraduate course of study, and it typically takes three years of studying full-time. After graduating from law school, students receive a juris doctorate

degree and are allowed to take the bar exam, which is required to actually practice law.

LAW PROFESSORS AND the LEGAL FIELD

Law professors have been quick to adopt some feature of Web 2.0. In particular blogs, or blawgs as they are called, have been adopted by law professors. They allow professors to express their ideas to the public, while not having to wait for either a book or journal articles.

It also gives the professor the ability to hear directly what people think about their ideas, instead of waiting even longer for a response to be printed. This has also built a community with many blogs forming communities around the blog. The days of the isolated law professor who hides away in his office are over. They have been replaced with a law professors who still may hide away (but probably less) and instead interacts with the legal field more directly.

Even before social network software became popular, the internet was changing the way both lawyers practiced law and how professors taught the law. The law profession quickly adapted to the new method of getting information from digital sources. Westlaw and LexisNexis are now required skill-sets for law students/soon to be lawyers, rather than just an extra bonus skill to have.

These online legal information resources are called computer-assisted legal research. However, it is no longer just digital forms that allow for legal texts. No things like tagging for these resources have allowed for to quickly make divide and access the information. Much like the print collection, there are massive amounts of digital materials. Social Networking tools like Deli.icio.us are making tagging both useful and easier and allowing legal scholars to quickly and effective (with word clouds) make legal resources even more useful and adaptable to users.

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Comment: Dan, I don't know what you're trying to say with this sentence.

What this is doing is changing the way the law is practiced and in fact taught. No longer is one person (or company) controlling how things are organized. Instead the legal field is not replacing, but in fact supplementing with the another field. And this is causing people to have to redefine CALR (computer assisted legal research) and how legal research is done. Also because Google is so popular, people are also using it to access online materials for free, such as state laws, town ordinances, or even searching the Court's home page for new cases.

As implied, it also means the public will be more proactive and have more information before they meet with lawyers. Lawyers will likely be faced with the WEBMD syndrome where clients already know what they want, like patients who self diagnosed themselves with

diseases. Of course, the law like the medical field, is as much an art as a science, so lawyers will have learn how to deal with this phenomenon as well.

Some courts WebPages even provide a RSS for new decisions.

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Comment: What?

Law professors are now teaching these skills to law students, while legal research was mainly taught more as a necessity. Students are now learning these skills to help them be more productive.

Courts, including the Appeals Courts (one level below the Supreme Court), are citing Wikipedia. The Supreme Court has even cited to a blog as a legal authority. This is amazing in retrospect because the Supreme Court will not even allow cameras into the courtroom; it has now moved forward and is taking advantage of these new online resources and legitimatizing them.

Also law professors are giving lectures online. This will be covered later, but some instances of law professors providing legal online on sites like Youtube, with the singing law professor, have garnered some attention in the last few years.¹

LAW STUDENTS

Law students are people who want to become lawyers. They also play fewer video games than the average person in their age group,

¹ <http://www.npr.org/templates/story/story.php?storyId=16275927>

and they also read more. Also law students value a physical library more than the average student. Yet they are also more adept at using technology than the average user. Like the average first year law student, sometimes too much information too fast can be confusing.

A study found that blogs, Wikipedia and wikis, social bookmarking and social networks are all more used by people under the age of twenty-five, and even in a greater number than people under the age of eighteen.

However, it seems that law students are less likely than undergraduates to use these services. Still, the number of students who use Facebook in particular is about twenty-five percent, and almost half using MySpace is an incredible number.

Law students are also using a service called LinkedIn, which allows them to reach out not only to other law students but also for prospective jobs. Rather than for the pure concept of developing a digital persona, law students are using this service for potential social connections, which might enable them to find employment after law school.

Students also benefiting from the social network software and the access it provides to information. Law school for many students either is a study group of a few students, or a solitary personal search for the law.

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To a large extent the Socratic method promotes this. However, no longer are law students restricted to students they know. The information and the students are now accessible with no geographical or temporal limitations. Law students can now build connections and rather than struggle in solitude, they can confront this struggle together. It is like a study group that is not limited by size or time; it is a group where people come and go and take what they can get and give what they have to the group.

There is even a social network site dedicated to law students, CasemakerX provided by Lawwriter. Casemaker is a case management software used by lawyers made by Lawwriter. Lawwriter has not made a version that is web 2.0, as well as built a social network dedicated and restricted to law students. As the website claims, "The purpose of CasemakerX is to provide a conduit to network law students and legal professionals, creating an information portal for self-promotion, education, mentoring and future opportunities in the legal profession. Our mission is to help law students connect and use the power of group knowledge and professional/social outreach to help facilitate personal growth and to create bridges to new opportunities."

Some features include blogging, photosharing, a law library, videos, and job site offerings. With almost 500,000 members who

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already have access to Casemaker, the number of people who could be using CasemakerX (still in beta) could be huge.

LAW SCHOOLS

For years legal education has been available in online schools, and with a few exceptions (such as Concord University), law schools have not embraced the full advantages of technology. However, at this point, for a few reasons such as ease of use and student demand, law schools are moving into social networking in full force. They are doing this mainly in three ways: Online legal education, Podcasting, and virtual law schools.

If one types in "law schools" online in Google, one is bombarded with schools that advertise on Google. While these schools are not accredited, and comport with the impression most people have about online law schools, things are changing. Law schools are now offering online courses, and the American Bar Association (ABA) has found that most students like them. ²

Law schools around the country are starting to offer classes online, and one of the reasons is social networking software. Software like Blackboard (proprietary) and Drupal (which is open-source) have gained a strong foothold in legal education. Especially with Drupal and

² <http://www.abanet.org/legaled/distanceeducation/distance.html>

other open-source content management software that allow a one stop place for a legal education, that makes having a online education experience in the law both possible and easier than it was just a few years ago.

It has even gone to the next level, LawDUG: Drupal social networking site, aimed at the legal community who use Drupal. It is sites like these that will allow the widespread acceptance of online legal education to spread.

Podcasting has also become a very big thing in the legal field. A podcast is, "a program (as of music or talk) made available in digital format for automatic download over the Internet."³ What is interesting is the amount of podcasting being done already. Law professors are podcasting. Students are podcasting. Lawyers are podcasting. Even law schools have podcasts up where they answer various questions, such as questions about the law school admission process.⁴

The entire process is changing in law school. If you include things like YouTube, where some lawyers are even advertising their services, the old tradition of the brick and mortar only law school is slowly fading.

This leads to the final innovation of legal education: the virtual reality law school. Several law schools have set up virtual class rooms

³ <http://www.merriam-webster.com/dictionary/podcasting>

⁴ <http://www.oculture.com/category/law>

in SecondLife.⁵ Even Judge Richard Posner, who is one of the most prolific judges in America, had a book signing tour in SecondLife, and he taught a class there as well. That is not even to count the already large number of virtual libraries that exist in SecondLife as well.

Even Harvard Law school has these "true" virtual classrooms. Law schools in Seattle and New York also hold classes in Second Life. The stigma that has attached to online law schools and legal education has faded. So much so that even Harvard is conducting virtual classes.

CONCLUSION

Social Networking is changing legal education. It is doing this with law professors and the legal field by changing the way information is communicated, allowing for the building of networks. It is changing law students by the way they receive information and how they are taught information, as well as the groups law students build. And finally the way law schools operate is changing by allowing information to be delivered in new ways such as with content management software and podcasting. Also law schools are now offering online learning. They are even going beyond the basic concept of online learning and having virtual classes in Second Life.

⁵ web 2.0

While the effects of these changes are still being studied and discussed (both in traditional and in social networking and Web 2.0), it is for sure that the legal field has felt the change. And technology is changing the world of legal education as well.