

Should Hungarian Legal Ethics Education Invest In Technology?

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Overview



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a/ Government policies and accreditation standards

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1/ Introduction

- The presenter
- Personal aim: adding further areas to multidisciplinary PhD studies
- The two main objectives related to
 - a/ the audience “here”
 - b/ the audience “there”



2/ A brief literature review: About EdTech in general

- Education Technology - it seems that it has **benefits**:
 - *Expanding access to education;*
 - *Preparation of learners for the labour market (skills development);*
 - *Motivation of learning* (Tinio, 2003, pp.17-19)
- But it also has several **challenges**:

Will ICT displace teacher in the future?

Will ICT displace the school?

Academic literature is inconclusive and predictions vary.

(Selwyn, 2011, pp.136-137, 179-181)

2/ A brief literature review: Investing in EdTech

- How to **measure** investment in Education Technology?

- *Students' educational performance in primary schools* (Machin et al., 2007, p. 1165)

- *Look at the way teachers are using ICT* (Joia, 2000, pp. 353-355)

- *The value of an investment should be defined by its educational return, not its financial return. Value of investment (VOI) methodology: look at actual measurable benefits vs. anticipated benefits* (Krueger, 2013, pp. 26-28)

- What should be the **focus** of investment?

Advice from a panel of investors, hosted by the National Education Association in January 2017 on investing in education: "Forget MOOCs - what higher education institutions should invest in are personalized learning platforms that provide simple data on outcomes." (Stansbury, 2017)

2/ A brief literature review: ICT in legal education

- Google Scholar searches on May 22, 2017: “ICT in ...
... higher education” = 4,220 results / ... legal education” = 48 results
- ICT in legal education:
 - Overview of US, UK and certain European law schools: from access to law databases to using the latest technology* (Paliwala, 2007, pp. 3-8) *such as MLEs, websites, e-learning materials, etc.* (Maharg & Muntjewerf, 2002, pp. 312-331)
 - Supports retention* (Bloxham, 2005, pp. 103-105)
 - Still not widely used in legal education* (Muntjewerf, 2002, p. 672)

3/ The Hungarian context:

Government policies

- One of the most important key competences necessary for LLL is the **development of ICT skills at each level of education** (Framework Strategy for Lifelong Learning, 2014)
- Aim: to develop HE collaborating with employers. Change of contact hour-centred approach is needed by focusing on flexible, practice oriented, **blended learning**. (National HE Strategy 2020, 2014)
- Status report finding **four major digitalization problems in state HEIs**: (i) infrastructure exists but due to lack of funding there is no appropriate maintenance and development, (ii) there is just a sporadic existence of e-content and specific software, (iii) online programmes are not supported by Hungarian Accreditation Committee, and (iv) there are no internal staff development programmes. (Digital Education Strategy, 2016)
- In the field of digitalization of legal education, the Government launched a **financial support programme** available for law schools. (Ministry of Justice, 2017)

3/ The Hungarian context: Accreditation standards

- **Programme learning outcomes and content areas of Hungarian academic programmes are regulated** by a binding administrative order: Decree No. 15 of 2006 issued by the Ministry of Education
- Compared to U.S. and UK practices the Hungarian approach is **strict** and provides HEIs with less flexibility.
- Hungarian legal education: **“undivided” five year long** programme, starting after secondary education (admission criteria to a law programme traditionally include high scores in major high school subjects, especially in History and Grammar), delivered by **8 public law schools**, and upon completion a **Masters-equivalent “doctor juris” academic degree** can be obtained. (Andrasi, 2013, pp. 3-6)

3/ The Hungarian context: Accreditation standards (cont.)

ICT skills:

- PLOs until 2017: only a generic expectation from law graduates to be able to process and analyse information (Ministry of Education, 2006)
- New PLOs 2017: graduates to to have ICT skills (Ministry of Education, 2016)

Legal ethics:

- PLOs until 2017: only as generic expectation of responsible conduct (Ministry of Education, 2006)
- New PLOs 2017: must contain legal ethics in the curriculum and expected to prepare law graduates to become value-centred professionals knowing generic and professional ethical norms, and recognising ethical dilemma and challenges (Ministry of Education, 2016)

3/ The Hungarian context:

“What do we know about Hungarian legal ethics education?”

neutral/secular-vs-religious

material-is-the-code

German-pedagogic-tradition

lecturing embedded-in-non-legal-courses

non-compulsory

memorization

oral-assessments

focus-on-theory

lack-of-practical-elements

embedded-in-Jurisprudence/LegalTheory

WordItOut

Review of academic literature: my poster presentation during NTU Doctoral Student Research Conference
(December 2, 2016)

3/ The Hungarian context:

Institutional practices in 2016-17: ICT

- **There is institutional access to databases & software, complemented by e-learning materials on a varying degree** (Mezei and Davis, 2015)
- **7 law schools were found offering a compulsory course on legal ICT and 1 with an elective course.**
- **Course contents** usually cover definitions, related basic rights, domestic laws and international treaties, documents and procedures in e-business, e-government, software (mainly MS Office) and legal databases.

(Eotvos Lorand University, Budapest, Faculty of Law, 2017; Karoli Gaspar University of the Reformed Church, Budapest, Faculty of Law, 2017; Pazmany Peter Catholic University, Budapest, Faculty of Law, 2017; University of Debrecen, Faculty of Law, 2017; University of Gyor, Faculty of Law, 2017; University of Miskolc, Faculty of Law, 2017; University of Pecs, Faculty of Law, 2017; University of Szeged, Faculty of Law, 2017)

3/ The Hungarian context:

Institutional practices in 2016-17: Legal Ethics

Only **3 law schools** were found offering a course specifically on Legal Ethics or professional conduct:

- a Legal Ethics elective course analyzing the codes of ethics of various legal professions (Eotvos Lorand University, Budapest, Faculty of Law, 2017);
- an Introduction to the Legal Profession elective course focusing on the history and the current tasks of various legal professions (University of Debrecen, Faculty of Law, 2017); and
- a Philosophy and Legal Ethics compulsory course introducing ethical theories followed by discussion of important lawyerly virtues and contemporary ethical challenges (University of Pecs, Faculty of Law, 2017).

None of the course description refers to ICT.

4/ Conclusion

- Policies and accreditation standards prescribe computer literacy and preparation for ethical professional conduct
- Governmental financial support for digitalization
- Compared to European law schools Hungarian ones are on a similar path in terms of programme and course development
- Possible areas for improvement both at institutional level and at course level

What would you recommend?

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