

PAPER – 115

LEGAL EDUCATION AND RESEARCH METHODOLOGY

1. Objectives of Legal Education
2. Lecture Method of Teaching - Merits and demerits
3. The Problem Method
4. Discussion Method and its suitability at post-graduate level teaching
5. The Seminar Method of Teaching
6. Examination System and Problems in Evaluation - External and Internal assessment
7. Student participation in law school programmes-Organization of seminars, publication of journal and assessment of teachers.
8. Clinical Legal Education - legal aid, legal literacy, legal survey and law reform
9. Research Methods
 - 9.1 Socio-legal research
 - 9.2 Doctrinal of empirical research
 - 9.3 Relevance of empirical research
 - 9.4 Induction and deduction
10. Identification of Problem of Research
 - 10.1 What is a research problem?
 - 10.2 Survey of available literature and bibliographical research
 - 10.3 Legislative materials including subordinate legislation, notification and policy statements
 - 10.4 Decisional material including foreign decisions; methods of discovering the "rule of the case" tracing the history of important cases and ensuring that these have not been over-ruled; discovering judicial in the reasons thereof
 - 10.5 Juristic writings to survey of juristic literature relevant to select problems in India and foreign periodicals
 - 10.6 Compilation of list of reports or special studies conducted relevant to the problem.
11. Preparation of the Research Design
 - 11.1 Formulation of the Research problem
 - 11.2 Devising tools and techniques for collection of data : Methodology
 - Methods for the connection of statutory and case materials and juristic literature.
 - Use of historical and comparative research materials
 - Use of observation studies
 - Use of questionnaires / interview
 - Use of case studies
 - Sampling procedures - design of sample, types of sampling to be adopted
 - Use of scaling techniques
 - Jurimetrics
 - 11.3 Computerized Research - A study of legal research programmes such as Lexis and West law coding.
 - 11.4 Classification and tabulation of data - use of cards for data collection - Rules for tabulation; Explanation of tabulated data.
 - 11.5 Analysis of data

Select Bibliography :

High Brayal, Nigel Dunean and Richard Crimes, Clinical Legal Education : Active Learning in Your Law School (1998). Blackstone Press Limited London.
S.K. Agrawal (ed.) Legal Education in India (1973), Tripathic, Bombay N.R. Madhava Menon (ed.), A Handbook of Clinical Legal Education (1998), Eastern Book Company, Lucknow.

M.O. Price, H. Bitner and Bysiewicz, *Effective Legal Research* (1978) Pauline V. Young, *Scientific Social Survey and Research* (1962).
William J. Grade and Paul K. Hatt, *Methods in Social Research*, McGraw-Hill Book Company, London.
H.M. Hyman, *Interviewing in Social Research* (1965)
Payne, *The Art of Asking Questions* (1965)
Erwin C. Surrency, B. Field and J. Crea, *A Guide to Legal Research* (1959)
Morris L. Cohan, *Legal Research in Nutshell* (1996), West Publishing Co. Harvard Law Review Association, Uniform System of Citations ILI Publication. *Legal Research and Methodology*.

Practical :

The practical will be conducted in LL.M. Part-I as well as LL.M. Part-II. The practical examination shall be held at the end of the second year of LL.M. studies, on Research Methodology, Law Teaching and Clinical work. There shall be 20 marks each for doctrinal research and for non-doctrinal research, and 20 marks and 15 marks for clinical work and law teaching respectively. How the components of practical shall be evaluated is left to individual faculties of law. They can formulate their own models of assessment. However, for making the practical examination objective and meaningful, the following guidelines shall be adhered to.

1. Research Methodology :

(1) Doctrinal research (20 marks) :

Each student is assigned in advance a separate topic and asked to collect materials. A period of 5-7 days can be set apart for carrying out this assignment in the library. The materials indicated or collected during the assignment shall be evaluated by a team of at least two faculty members.

(2) Non-doctrinal research (20 marks) :

Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed by a team of at least two faculty members.

2. Clinical work (20 marks) :

The modalities can be evolved by the law school / concerned P.G. recognized center. One method is that the legal aid clinic of the law school / P.G. Centre can involve itself with other legal aid programmes in the area. Students are encouraged not only to work with the clinic but also to acquaint themselves with court proceedings, drafting of business or other deeds and with public interest litigation. The initiative and potential of the student and the actual work turned out by him shall be assessed by a team of at least two faculty members.

3. Law Teaching (15 marks) :

A topic is assigned to the student in advance. He is required to handle a class for 25 to 30 minutes. He can select any of the methods of teaching. The performance of the student shall be assessed by a team of at least two faculty members.

Dissertation :

Dissertation work will be carried out and dissertation prepared during the two years of LL.M. studies. Dissertation carrying 125 shall be evaluated internally and externally, with 100 marks for the written work and 25 marks for viva-voce.