

# How legal tech is changing legal education

A case study at the Avans-Fontys University of Applied Sciences



# Avans-Fontys Pioneers Legal Tech Education with Berkeley Bridge

In 2002, the Avans-Fontys University of Applied Sciences (UAS) was the first institution to offer professional legal training besides academic universities. At the UAS, approximately 1600 students focus on the practice of law. A welcome addition in a world where academic legal training still pays little attention to ways in which the workplace is changing along with technology. As a part of this strategy to differentiate itself from the universities, Avans-Fontys funded an expert group (lectoraat, they call it) in Law and Digital Technology. The group's research focuses on the practical applications and implications of developments in IT. It is equally dedicated to education; integrating law and tech into the curriculum as a minor or elective and leading collaborative efforts with other departments and schools around such issues as big data, privacy, cyberbullying, and drones.

The Avans-Fontys "Juridical College" trains pragmatic legal professionals who think in opportunities. "One such opportunity is the digital decision tree," said John Lousberg, lecturer in privacy and labor law and a member of the Law & Tech expert group. His students created several decision trees for the Dutch Legal Aid Board, a government-funded organization that aims to make legal aid available to all. Decision trees have a role to play there, as John explained: "By walking through the steps and questions of a decision tree online, for instance, you can create documents to your own specifications. Or figure out what consequences certain choices may have, like the risks attached to a discharge from work. That way, everyone receives the same advice, the same result, and in addition, it works faster, thus more efficiently."



**John Lousberg**

*After his legal training at Radboud University in Nijmegen, John filled posts at several Legal Aid Boards, was a legal counsel at the FNV, a major Dutch labor union, and worked in a managerial function at the Zeeland-West Brabant court. He joined Avans-Fontys as a lecturer in labor law in 2005. At the Law & Digital Technology group he mainly investigates how labor law intersects with issues in privacy and data protection. As part of this effort, he has kept up a lively blog, written with great clarity and wit, in order to make students and casual readers alike excited about and aware of developments in labor and privacy law.*

## When did you start using the Berkeley Publisher?

In 2015 we were reflecting on how to reposition the curriculaat at the Juridical College. What did law students in the Applied Sciences programs need to know in order to remain competitive with university-trained lawyers? Ivar Timmer, from the University of Applied Sciences in Amsterdam, was doing some research that year, and I think he presented at a conference on UAS legal education (his report eventually came out in February 2016).



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My colleague Ron Ritzen was inspired by a talk Rob van de Plassche of Berkeley Bridge gave at Rechten.online. It was in September 2015 that Ron started his pioneering work with the Berkeley Publisher for the minor in Law Practice (for seniors). I got interested and started a pilot to find out if the Berkeley Publisher had more potential. In February 2016 three students started a senior project using the platform after some training at Berkeley Bridge. The idea was to look at how much students could accomplish with decision trees in 20 weeks. Feedback was positive, and starting September 2016 we took further steps, training not just a group of students but some professors as well. From that time to February 2017 we developed a course on making decision trees with Berkeley.

### **How have you integrated the Berkeley Publisher into the curriculum?**

We made decision trees a part of a course in administrative law, since it's most suitable to building decision trees. After all, the norms in private law are much more 'open' and 'vague.' In administrative law the description of conditions and provisions are more clear-cut. We also thought we shouldn't work with decision trees during the early years of training. We decided to link the Berkeley Publisher to a third-year course in social security law. Experience from trainings showed that students were able to design basic decision trees after three two-hour sessions and that students get the hang of it much more quickly than professors. So that's when we decided to let students help each other. We created a manual as well. The program right now is that former students teach new students. At this point, we have a sizable group of student-teachers.

In week 1 and 2 of the third period in the third year, there's two hours of training a week. After that, students do assignments on their own. Week 6 of the same period is for questions and feedback.

### **Why do you think it's important to use our software as part of legal education?**

As I explained above, we adopted the Berkeley Publisher and decision trees in response to the legal market, the prospect that our UAS students can play a decisive role in developing decision trees (and compete with academic lawyers). In the end, a UAS graduate is more likely to be the 'jack of all trades' who mediates between different divisions and levels within an organization. That takes more skills than just being able to handle the juridical content. Crucial for designing decision trees. You're going to have to be able to spar with managers, IT, users, and domain experts alike.

### **What's the experience at Avans-Fontys so far?**

Over a 7 week period, with three lectures, we're seeing that students are making decision trees. We're very happy with that. We're also very happy with the way students are approaching it. There is no way to design a decent decision tree without thorough juridical analysis. They're doing a great job of analyzing law and jurisprudence. And that's the basics of being a good lawyer. I'll put it simply: a professor explaining the WIA (Dutch laws on employment and disability) in a lecture goes in one ear and out the other; have them build a decision tree on the same topic and everyone will nail that question on the written exam.

## What feedback are you getting from students?

The response is mixed. There are students who “run with it” and have fun with it. I’m noticing that the graduates who worked with the Berkeley Publisher are stunned to find that they have such a good position on the job market and get offers right away from firms they interned with. And unfortunately there are those who think it’s terrible. “We’re not in law school to learn how to build decision trees” is what they say. “We should put more effort into explaining the benefits of digitalization for the future.” They’re the students with traditional views of the legal field.

## What developments do you anticipate going forward?

We’ve integrated the classes on Berkeley Bridge into our full-time curriculum. We’re still looking for ways to do so in part-time education, since we’re redesigning the curriculum. We’re considering decision trees there as well. There’s also a new minor called Law and Digital Technology being developed. We might make it more advanced than the basic third-year training in the Berkeley Publisher. In any case, the software has been a first step toward showing students that digitalization will take over a sizable share of the legal market. And for us as a University of Applied Sciences working with Berkeley was a first step toward incorporating digitalization (think big data, critical thinking and privacy, IT law, IP law, drones, smart contracts, bitcoin, etc.) into legal education and make its impact more concrete.

## About Berkeley Bridge

Berkeley Bridge believes that the existing knowledge and experience in organizations is the most important precondition for success. The effective use of all information available allows organizations to optimize processes and to serve customers better.

Berkeley Bridge has been supporting organizations for over fifteen years by advising them and inspiring them in terms of knowledge systems. We provide solutions for designing, managing, and sharing knowledge in, inter alia, the legal domain, in health care, for the government, and in many other sectors. We do so with a team of enthusiastic knowledge experts and experienced developers from our office in Alphen aan den Rijn .

## Contact

Curious about what we can do for your organization? Please feel free to contact us for advice on how we can help you achieve your goals.



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