

# Research on the Reform of Practical Teaching of Law in Colleges and Universities

Lin Jianqun<sup>1,a,\*</sup>, Liang Zongdi<sup>2,b</sup>

<sup>1</sup>Guangzhou College of Commerce, Guangzhou, Guangdong, China

<sup>2</sup>Guangzhou Academy of Social Sciences, Guangzhou, Guangdong, China

<sup>a</sup>linjianqun0225@gmail.com/137571584@qq.com, <sup>b</sup>portillo@gz.gov.cn

**Abstract:** *The life of jurisprudence lies in practice. Higher law schools should focus on practical teaching, so as to cultivate compound legal talents who meet the needs of society. However, in the process of promoting practical teaching, because the understanding and implementation of practical teaching are not in place, some problems have arisen, which lead to the failure of the practical teaching model to achieve the goal well. Therefore, for the practical teaching of law in colleges and universities, we should conduct in-depth research and learn from the excellent experience of success, so as to improve all aspects of practical teaching of law in colleges and universities.*

**Keywords:** *Colleges and Universities, Practical Teaching Reform, Law*

## 1. Introduction

The life of jurisprudence lies in practice. Higher law schools should focus on practical teaching, so as to cultivate compound legal talents who meet the needs of society. However, in the process of promoting practical teaching, because the understanding and implementation of practical teaching are not in place, some problems have arisen, which lead to the failure of the practical teaching model to achieve the goal well. Therefore, for the practical teaching of law in colleges and universities, we should conduct in-depth research and learn from the excellent experience of success, so as to improve all aspects of practical teaching of law in colleges and universities.<sup>[1]</sup>

## 2. Problems existing in the practical teaching of law in colleges and universities

### 2.1 *The setting of practical teaching courses in law is unreasonable, and the teachers have insufficient practical experience*

Although there are practical teaching courses in the human training programs of the higher law schools, the practical teaching courses still only account for a small proportion of the teaching hours, and most of the practical teaching courses are still in the teaching process.<sup>[2]</sup>The teaching is mainly based on theory. Due to the lack of practical experience of teaching teachers, many knowledge still stays at the theoretical level and cannot be explained in depth, resulting in a disconnect between theory and practice.

### 2.2 *Under the training of "cramming-duck" law teaching, students do not pay attention to practical learning of law*

China's education and training model has always been dominated by "cramming". Although this teaching model can strengthen the instillation of knowledge to a certain extent, it lacks training in practice.<sup>[3]</sup>The resulting problem is that students are still accustomed to accepting knowledge passively and do not pay attention to practical learning. After graduation, when dealing with practical problems, students will be in a hurry and do not know how to start, which shows that the students cultivated in this "cramming" teaching mode lack the ability to solve practical problems.

### 2.3 *Lack of practical teaching systems and platforms, unable to meet the needs of practical teaching*

In terms of practical teaching system and platform construction, there are not many types and

numbers of constructions. Although university law schools have built some moot courts and legal practice bases in order to meet the needs of practical teaching, they are not used frequently. For example, moot courts are only limited to use in student competitions and rarely used in courses or teaching. The use of the practice base is also mostly used for student graduation practice. Without translating theory into practical exercises, students' ability to apply knowledge to solve practical problems cannot be improved.<sup>[4]</sup>

#### ***2.4 The number of "double-qualified" teachers in law is insufficient, and the level of practical teaching needs to be improved***

Law teaching requires teachers to have certain judicial practice experience and can undertake practical teaching work. However, due to the pressure of courses and scientific research, law teachers in colleges and universities have not invested enough time and energy in judicial practice, resulting in lack of experience, that is, the lack of "double-qualified" teachers, which affects the depth of practical teaching work.

### **3. The necessity of practical teaching reform of law in colleges and universities**

Continuously deepening the teaching reform and cultivating legal talents who meet the needs of the society are the important goals of university law schools, but there are some problems in the current practice teaching mode, which affect the realization of this goal. Therefore, the reform of practical teaching of law in colleges and universities is imminent.

#### ***3.1 To meet the requirements of cultivating compound legal talents for social needs***

Compound legal talents who meet social needs must have the ability to innovate in judicial practice, and the cultivation of this ability cannot stop at the theoretical level, but must be improved in practice. This requires colleges and universities to meet this requirement in terms of practical teaching, set up reasonable and scientific practical teaching courses, and continuously deepen the reform of practical teaching mode.<sup>[5]</sup>

#### ***3.2 Satisfy the requirements for realizing the goal of legal talents and the goal of the rule of law***

Practical teaching of law plays an important role in cultivating innovative legal talents. By integrating theory and practice, students can master the ability to solve practical problems through learning, and innovate and develop in the process of solving practical problems.<sup>[6]</sup> The full play of the practical teaching reform of law in colleges and universities will inevitably promote the realization of the education and training plan for outstanding legal talents, promote the process of the construction of the rule of law in China, and finally achieve the goal of the rule of law.<sup>[7]</sup>

#### ***3.3 Promoting the reform of legal practice teaching curriculum***

Theoretical and practical content must be reasonably set and matched in teaching so as to complement each other. Of course, the configuration of class hours for different courses should be different according to the characteristics of the courses. For example, for some highly practical courses, there should be more practical courses than theoretical courses, and the practical teaching modes of different courses should have their own characteristics.<sup>[8]</sup>

#### ***3.4 Improve the graduation rate and graduation quality of law students***

Through the study and exercise of practical courses, the students of the law school will be of great benefit to obtain employment opportunities in the job market in the future after they have mastered the problem of solving judicial practice. Many law students will go through a graduation internship before graduation. If they can perform well in the internship, they often get the opportunity to stay in the internship unit. The excellent performance has undoubtedly won the reputation for the quality of the graduates of the university's law school.

#### **4. Practical teaching experience of legal studies in typical countries**

##### ***4.1 United States***

The legal education model and educational philosophy of the United States have attracted much attention in the world and are the object of learning and reference for many countries. In the process of teaching implementation, the principle of "learning by doing" is emphasized and always implemented. For example, in terms of curriculum, the practical teaching curriculum is very comprehensive and specific, basically covering various skills in judicial practice. Students gradually master processing skills from simple to complex in accordance with the process set by the course. In terms of the way and content of course teaching, teachers are not only limited to traditional classroom explanations, but will use a variety of teaching methods, such as role-playing, simulation exercises, mooted courts, etc., so that students can learn knowledge and skills through practice. Many teachers in American law schools have practice experience, so they can share their practical experience with students in the process of lecturing. Law schools in the United States also employ judges working in courts and lawyers working in law firms as adjunct faculty to teach practical courses. These part-time teachers have rich practical experience and can give students valuable practical experience in the teaching process.

##### ***4.2 Germany***

In Germany, "the core of legal education is vocational education." Therefore, referring to German legal education, we can find that in order to engage in the legal profession, one must go through the basic learning stage and the vocational preparatory training period. In the basic learning stage, students mainly master the basic knowledge of law. In the basic syllabus of law, many courses are about practice. German legal education regards legal professional apprenticeship as a prerequisite for engaging in a legal profession, and generally requires a two-year preparatory apprenticeship period. Germany attaches great importance to the practical teaching of law, which is why Germany has continuously cultivated high-quality applied legal professionals in recent years.

##### ***4.3 Japan***

Legal education in Japan has undergone a transition from emphasizing theory to emphasizing practice. The practice-based specialized courses gradually transform legal education into vocational education, so that students who lack practical skills before have more choices in terms of employment, and greatly improve the employment rate of Japanese law students.

#### **5. Measures for the Reform of Practical Teaching of Law in Colleges and Universities**

In view of the problems existing in the practice of law teaching in colleges and universities, we can make improvements from the following aspects by referring to the excellent experience.

##### ***5.1 Setting up scientific and reasonable practical teaching courses***

The hours of theoretical courses in law should not occupy the hours of practical courses, and practical courses should have an independent position, and appropriate practical teaching hours should be allocated in theoretical teaching. For some courses with strong practicality, practical hours should occupy relatively Class hours are relatively more. In the setting of practical teaching courses, the characteristics of practice should also be reflected, and a variety of practical teaching methods should be used to stimulate students' interest in thinking and solving problems.<sup>[9]</sup>

##### ***5.2 Explore the content and methods of practical teaching of law in colleges and universities***

The reform of legal practice teaching in colleges and universities is an unavoidable problem at present. Using innovative teaching methods to carry out teaching content that is in line with cultivating students' quality of judicial practice is conducive to cultivating innovative legal talents. Teaching methods and content should be colorful and flexible. For example, the above-mentioned role-playing, simulation exercises, mooted courts, etc. in the United States. Of course, different practical teaching contents should adopt specific teaching methods to achieve the purpose of applying the theoretical knowledge of law. However, no matter what kind of practical teaching method is adopted, when using

these practical teaching methods, it must be carried out around the goal of practical teaching, so as to ensure the effectiveness of the reform of practical teaching of law.<sup>[10]</sup>

### **5.3 Strengthening the construction of a "double-qualified" teaching team**

In view of the lack of practical teaching ability of law teachers in colleges and universities, we should vigorously cultivate "double-qualified" teachers, and improve teachers' practical teaching ability through various methods.<sup>[11]</sup> For example, teachers are sent to the judicial practice department for temporary training, and they specifically participate in judicial practice to improve their practical teaching ability. Teachers can also be encouraged to participate in lawyer business in law firms to improve their judicial practice ability.<sup>[12]</sup>

### **5.4 Strengthening the construction of legal practice systems and platforms**

Build a legal practice system, platform and practice base. In the teaching of practical courses, a practical operating system is purchased to cooperate with the development of practical courses. The multi-platform construction of practice base platforms should not only meet the practical requirements of students in quantity, but also cover a wide range of areas, including not only public security and law departments, law firms, notary offices, arbitration institutions, legal aid centers, etc., but also distributed in Such as mediation committees, consumer associations and other units and organizations. Under the guidance of judges, prosecutors and lawyers with rich experience in handling cases, students will gain more from their internships and cultivate legal practice talents for the college.<sup>[13]</sup>

## **6. Conclusion**

To sum up, the practical teaching of law in colleges and universities plays an important role in cultivating innovative legal talents and should be paid attention to. At present, there are still problems such as the lack of scientific and reasonable curriculum settings, the inability of teaching methods to meet the requirements of practical teaching, the lack of practical teaching platforms and the lack of dual-qualified teachers in the practical teaching of law. We should learn from excellent practical teaching experience, improve the curriculum, change Teaching methods, enriching teaching platforms, and enriching the double-qualified teaching team, etc., so as to improve all aspects of legal practice teaching in colleges and universities.

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