BLENDED LEARNING USING ROLE-PLAYS,

WIKIS AND BLOGS

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Abstract
Student learning about legal skills in legal education is increasingly seen as important. These legal skills include advocacy and negotiation. These skills are often taught through role-play. This article discusses the combination of role-plays with online tools, including wikis and blogs, to assist students to master legal skills. The article describes and discusses two case studies of the teaching of legal skills in a blended learning design. Additionally, through participant observation and selected data from student evaluation of one of the case studies the authors suggest implementation concerns for law teachers to consider when introducing this type of learning design.

Keywords
role-play, blended learning, wikis, blogs, law

Introduction

Legal skills are an important part of legal education and are increasingly recognised as influential in shaping lawyers of the future as well as developing graduate attributes in the legal discipline (Kift, Israel & Field, 2010). Such skills include advocacy, negotiation, advising clients, and drafting legal documents. Along with the requirement of achieving the understanding of substantive areas of law, these skills form part of newly articulated discipline standards in law (Kift et al., 2010). Role-play is one way for students to practice legal skills and engage in authentic learning to master the cultural traditions of the law. Authentic learning environments connect students' theoretical knowledge to professional requirements (Herrington & Herrington, 2006). Through their participation in various authentic learning activities, students can learn through "situated" learning (Herrington, Reeves & Oliver, 2010, p. 14). According to this approach, learning of abstract knowledge is grounded in "real world" contexts and is thus better understood.

Role-plays as a learning strategy can be experienced in the face-to-face (Biggs & Tang, 2007; Le Brun & Johnstone, 1994) or online environment (Spencer & Hardy, 2008; Law, Jones, Douglas & Coburn, 2009). Recently, it has been found that role-plays can work with emerging technology to

allow for improved debriefing and reflection (Law et al., 2009). Thus, role-plays can be "blended" with online interaction, combining both face-to-face and online learning. Online role-plays of this kind are sometimes used to replicate the use of the internet in business and our daily lives. For example, large amounts of online negotiation now occur in business contexts (Ebner, Bhappu, Brown, Kovach & Kupfer-Schneider, 2009; Ebner, 2008). However, the virtual experience affects the negotiation due to, for instance, the difficulty of establishing trust (Ebner, 2008). Advocacy, which is the lawyers' skill of presenting a client's argument in court, is also increasingly affected by technology through the use of electronic transmission of documents and the presentation of evidence through CTV (Yule, McNamara & Thomas, 2009). Like negotiation learning about advocacy can occur through student participation in online simulations (Ireland, Sanson & Rogers, 2010). Online learning of this kind can replicate legal skills and are authentic in nature as they draw from "real world" contexts. They can facilitate "deep" learning of legal skills through learning by "doing" (Biggs & Tang, 2007; Le Brun & Johstone, 1994).

In this article, we outline online tools, with a focus upon the Web 2.0 options of wikis and blogs, which have been used with role-plays to provide the opportunity to develop legal skills for students at RMIT University. Students involved in role-plays learn about advocacy and legal negotiation skills, and use online tools for preparation and debriefing. We discuss participant observation and selected student feedback (Bell, 2001) regarding the use of wikis and blogs to prepare for, play out, and debrief role-plays in two legal courses at RMIT University. We discuss two case studies with selected empirical data being provided from the second case study as part of an evaluation of the online learning task. From the work we have done at RMIT, we develop a set of implementation concerns to consider when using blended learning, role-plays and online tools. These are provided to assist other teachers to assess the applicability of using such an approach. In the next section, we discuss relevant law standards that include these legal skills.

Law Standards and Legal Skills

Graduate attributes are increasingly important in law (Watson & Papas, 2009). These attributes include not only the mastering of substantive areas of law but also legal skills that allow law students to practice upon completion of their studies. A recent development that will affect legal education in Australia is the Federal Government, Learning and Teaching Academic Standards project (Kift et al., 2010). In 2010, funding was provided by the Australian Learning and Teaching Council (ALTC) for the development of benchmark standards in university education in various disciplines, including law. To develop the standards, the discipline leaders in law considered law standards in other countries such as the United States and the United Kingdom and then consulted with law schools and the legal industry in Australia. Draft standards were distributed, comment was sought, and the standards were amended. The final law standards were completed in December 2010 and these are now being considered as a possible basis for new admission requirements in law. These standards include legal skills such as the communication skill of advocacy and the interpersonal skill of negotiation (Kift et al., 2010).

Advocacy is used to persuade decision makers in courts or in tribunals to make a decision in relation to a dispute. It requires skills in problem solving and persuasive argument (Yule et al., 2009) and can be described as a communication skill for legal audiences (Kift et al., 2010). Advocacy is generally taught through engagement in court simulations where students take on the role of advocates in court (Ireland et al., 2010; Yule et al., 2009). Negotiation is also a key legal skill in that, on occasion, lawyers need to be able to negotiate settlement of legal disputes (Spencer & Hardy, 2008). In order to be able to negotiate successfully, students need to understand communication strategies and negotiation theory, such as how to identify the best outcomes in a negotiation (Spencer & Hardy, 2008). Negotiation is generally taught using role-plays to assist students to develop skills in both communication and negotiation strategies (Druckman, 2010; Spencer & Hardy, 2008).

The new law standards developed by the ALTC highlight the importance of teaching the two skills of advocacy and negotiation. Although these skills are most often taught through experiential

learning in the face-to-face environment, online learning can make a contribution to learning and teaching in this area (Ireland et al., 2010; Spencer & Hardy, 2008). For instance, a combination of face-to-face and online learning known as blended learning might enhance the learning experience for students. We next discuss blended learning and the possible use of wikis and blogs in combination with role-plays to teach legal skills.

Blended Learning, Wikis, and Blogs

The concept of blended learning is defined by Garrison and Vaughan (2008) as "a design approach whereby both face-to-face and online learning are made better by the presence of the other" (p. 5). The two learning modes should be combined in such a way that students benefit from moving between the online and face-to-face experiences (Garrison & Vaughan, 2008, p 6). Like the best of classroom learning or online learning, blended learning is a student-centred approach that aligns learning with course objectives (Garrison & Vaughan, 2008). This requires the teacher to plan and take a role as facilitator. As George-Walker and Keefe (2010) argue:

Through effective facilitation, instructors can support students in understanding what it is they are expected to learn, the choices they have available to them when learning and can assist them to develop the necessary skills of reflection, self-direction and self- management. (p. 3)

In law, the use of online learning without including any face-to-face component in the student experience of a course is sometimes seen to be problematic with regard to the teaching of legal skills. This is because there have been doubts expressed about the ability of students to develop legal skills where the instruction for those skills is provided solely online. The face-to-face environment can be seen as crucial to building legal skills due to the experiential learning techniques generally adopted (Parish, 2011). However, it is possible to combine the two mediums to optimize student learning in a blended fashion. That is, some face-to-face skill building can be complemented by online learning (Law et al., 2009; Spencer & Hardy, 2008), particularly regarding preparation and reflection. For example, students' understanding may be helped by debriefing role-plays. Debriefing has generally occurred in face-to-face environment in order to assist learning by students articulating their insights from the role-plays (Druckman, 2010; Wills, Rosser, Devonshire, Leigh, Russell, & Shepherd, 2009). However, the online environment also has this potential (Macduff, 2009). Blended learning may assist students in debriefing about their learning through the use of online tools (Law et al., 2009). Another option in blended learning is to debrief a role-play in the face-to-face environment after the use of technology to play out a role-play or alternatively a combination of both forms of debriefing (Douglas & Johnson, 2008). Whatever the choice of blended learning, there is a need for a thoughtful design of the debriefing process in order to elicit insights from the authentic learning of role-plays that occur in some form online (Herrington et al., 2010).

Another issue of importance is the choice of online tool to prepare for, play out, and reflect on role-plays. Wikis and blogs provide the opportunity for online debriefing through either group and/or individual reflection (Law et al., 2009). Wikis are shared online sites that offer the opportunity for collaboration as the content of published documents can be added to, or amended by, anyone who has access to the site (Chu, 2008). Wikis provide the opportunity for students to better work together in the online environment. These e-learning options also support learning from simulations that extend the relatively static nature of discussion boards (where students can post messages in an asynchronous forum) to more dynamic activities. While discussion boards create opportunities for inclusiveness, enhance creativity, develop critical thinking, problem solving, and communication skills (Kim, 2008) they are also somewhat limited in use for debriefing. This is because the various strands of discussion can be confusing to students. In contrast, a wiki uses one page that can be collaboratively added to by students or teachers and a comment function provides the opportunity for input without changing the main text (Chu, 2008). Traditionally, discussion boards have been used to allow students to engage in collaborative learning activities. However, new Web 2.0 options have additional benefits that build on the opportunity for active online learning (Ruth & Houghton, 2009).

A blog is a useful online tool in negotiation simulations. Blogs can be used by either by individuals or a group. Blogging initially arose as an online diary tool that can draw on both individual and collective insights in an asynchronous environment (Kim, 2008). In online learning and teaching designs, blogs are useful as an online journal to allow viewing by other students and teachers (Tekinarslan, 2008). They can be used for peer and self-reflection as part of the debriefing process for both groups and individuals. Macduff (2009) argues that in negotiation teaching, the online environment provides a better opportunity for reflection for students in debriefing role-plays than traditional hard copy journals. We next discuss two case studies that have informed our reflections regarding the use of role-plays and online tools. The case studies were part of larger learning and teaching research projects that were carried out at RMIT University in 2009 and had ethics approval. The students in our classes were all postgraduate law students studying their Juris Doctor at RMIT. The authors provide detail of the learning and teaching strategies and selected data from the second case study.

Case Study 1: Advocacy

In this case, study wikis were used blended with face-to-face role-plays to build communication and problem-solving skills in legal advocacy. The choice to include a wiki was made due to the opportunities that an online environment provided for collaborative problem-solving of a legal problem. This problem would later be "enacted" through a role-play of a moot court. A moot court is a simulated or 'mock' court experience in which students take on different advocacy roles in opposing teams. Each team presents collaboratively researched legal arguments on a particular legal scenario to a presiding 'judge'. In this class, 18 students used the wikis to prepare for three mock court role plays. Students were placed in groups of three and given a role as either counsel or instructing solicitor. A legal scenario on the law of Evidence was given out to each team. Six wikis were created in the university Blackboard System to allow each group to problem solve collaboratively. A brief exemplar wiki was created to show students the different functions of the wiki available to them. Students were later provided with further instructions about the wiki task through announcement pages for the learning hubs in Blackboard and in the classroom. They were instructed that they would be required to use the wikis to research, analyse, and discuss the role plays within their teams. They were also told that access to each team wiki was restricted to the teams' members as well as the teacher who would visit each wiki and make contributions.

The students were free to design each team wiki according to the needs of each group. For example, some teams made only contributions to one home page. Other teams created individual pages for personal contributions or for specific areas of interest but also maintained a home page for general discussion, greetings, and arrangements to meet. Students could jointly contribute to, and edit one shared draft document or focus on researching and writing the material they required for their individual roles while also contributing to the group page. Students were told that they could also use the wikis as an information sharing system and could paste referenced information derived from other sources in order to collectively discuss or consider the relevance of the information. The teacher's role was to observe the process of contributing, editing, and developing submissions online and to contribute to wiki home pages. This included addressing any concerns that had been posted in the wikis, ensuring that the team discussion remained specific to the allocated role play scenario, and encouraging communication between team members.

A few problems restricted the easy navigation of the wiki for some teams. One team found that making contributions of large volumes of raw information to one homepage was difficult to manage. Rather than create individual pages to organise the material, the students opted to maintain a continual email communication that included the teacher, as well as the wiki. Another problem was where students chose to edit or insert comments, for example, editing the most recent contribution to add information when the information was actually more relevant to an earlier posting. It also became clear that students needed to develop team protocols about how edit and comment functions were to be used as most students used these functions interchangeably. These problems were not apparent until several weeks into the wiki task, as the students tended to make concentrated contributions as a group at intervals. The use of wikis as a form of online

collaboration in this subject enabled the teacher to "drop in" on students and observe their creative processes firsthand. The teacher could take an active role in the development of problem-solving techniques for individual students or the team through adding comments to the wiki. The collaborative problem-solving analysis developed in the online environment was later used in the face-to-face role-play of the moot court. Students played the role of a lawyer in court drawing upon the ideas and analysis developed together through the online tool of the wiki. In the following case study, students used online tools in online negotiation role-plays that were undertaken in tandem with classroom negotiation role-plays.

Case Study 2: Negotiation

Negotiation is commonly taught through the use of role-plays to assist students to understand negotiation heuristics, such as the concept of "alternatives" in negotiation. This concept requires students to prepare for a negotiation by exploring other available options if a negotiation does not result in an agreement. This approach is known as identifying the Best Alternatives to a Negotiated Agreement or BATNA (Druckman, 2010). Another option in the pedagogy of negotiation teaching is the designing of role-plays by students to assist in mastering negotiation concepts. Recent research into their experiences of students' comparative learning from engaging in the design or acting out of a role play has shown that students learn more by designing role-plays (Druckman & Ebner, 2008). In order to explore the benefits of designing and playing out negotiation role-plays in the online environment, the second named author asked students to use a wiki to design their role-plays. The aim was to assist students through active learning to understand the idea of alternatives or BATNA, power differentials in negotiation, and the impact of time restrictions on parties. Students also played out the role-plays electronically and reflected on the experience in a blog.

In this learning design, 7 students in the class initially learnt of negotiation theory and practice through engaging in lectures and face-to-face role-plays in evening classes and an intensive block of classes held over a weekend. In this two-day block, students played various roles and debriefed in the face-to-face environment. Students in this time were additionally given lectures about the three key negotiation concepts of alternatives, power, and time restrictions. Students were then asked to engage in online role-plays both designing and playing out scenarios in order that they might master the three key negotiation concepts. Material regarding these three concepts was also posted online. Students were then placed in dyads and were asked to construct their role-play online through a wiki in the university Blackboard Management System with the requirement that they highlight the three key negotiation concepts in their role-play.

After completion of the design, the role-plays were posted to the discussion board for other students to act out. Thus, students engaged both as role-play designers and players, switching roles after they had completed one task. After each of the role-plays, students engaged in debriefing to extend their learning reflections, both in the face-to-face and online environments, using a blog and class discussion. The debriefing occurred both individually and collectively. The use of a group blog encouraged students to engage in peer and self-reflection and to identify key learning. The students then reflected individually on the whole learning experience in a journal that was later assessed. After their first experience as either a role-player or designer, students were then requested to complete a survey that asked a combination of multiple-choice and open-ended questions. The questions assessed students' evaluation of their own learning through a Likert scale of forced choice questions, and provided the opportunity for comment through open-ended questions. There were 21 questions in the survey and these were based upon the work of Druckman & Ebner (2008). The aim of the survey was to gain insights into the effectiveness of the learning task in assisting the law students to understand negotiation concepts. The survey required self-assessment by the students of their learning in regards to the three key concepts and included questions such as Q. 1. "Regarding the concept of "alternatives" How much did the exercise contribute to your understanding of this concept? This question was followed by a specific focus on the exercise of the design and playing out of the role-play and included Q 2. "To what extent did the exercise provide added value to your understanding of the concept presented in

the lecture?" These self-assessment questions were followed by a question to the student that asked the student to summarise their understanding one of the key concepts. This approach allowed for the assessment by the teacher of the learning regarding a key concept. For instance, Q 3 asked, "What is meant by "alternatives"?" These kinds of questions were repeated in the survey in relation to each of the key negotiation concepts. There were also a number of open-ended questions at the end of the survey that asked about whether the student enjoyed the exercise, whether they would engage in the learning task again, how satisfied they were with the results and what they enjoyed most about the exercise. It is particularly these open-ended questions that were valuable to the authors of this article in helping us to articulate a number of concerns to address when using this kind of learning and teaching approach. Selected data gathered from the survey is now discussed.

Participant Observations and Selected Survey Results

Of the seven students in the class, each completed an anonymous survey and the results of this survey were collated. The authors acknowledge that the sample is small in relation to students' responses to the learning design, however the data gives an indication of a number of concerns that can be addressed to improve student experience when engaging in this type of online learning. Overall, students found participating in the role-plays enhanced their understanding of the three key negotiation concepts. After analysis, it was found that 86 % of students indicated that they felt that they had a better conceptualization of "alternatives", "power", and "time pressure" after participating in the negotiation online role-plays. Also, the data showed that 81% of the students found the online role-plays had added value to their understanding of the three key negotiation concepts presented in the lecture. The online role-plays had also successfully provided a range of context-specific negotiation situations – 72% of students indicated that they had a better understanding of the relationships between the three concepts through participation in the role-plays. Although most students (i.e. 72%) had found the online role-plays an enjoyable learning experience, fewer were satisfied with the results, that is, the outcomes of the negotiation simulation they had participated in (i.e. 43 %). From the students' perspective, the learning task required a substantial amount of effort. All students (i.e. 100%) indicated that they had put a lot of work into this learning task. Interestingly, only 43 % of the students would consider participating in negotiation role-plays online in the future. This last finding might in part be explained by the comments made in the open-ended responses where there was some level of dissatisfaction expressed with the instructions and preparation for the online environment used to play out the negotiation role-plays. Some students found the use of the technology problematic and expressed frustration with the way that the wikis were organized. Although some comments were positive, evidenced in the first two comments extracted below, overall in this small sampler, there was negative feedback about the organization of the task online.

It was all pretty fine! (Student 1)

There is nothing I did not enjoy. It was a very valuable experience…It was a good opportunity to put the theoretical discussions and learning into practice, which allowed for a much greater understanding of the concepts (Student 2.)

These comments expressed a positive experience for these students. However, open-ended responses below sent a clear message that greater clarity was required in the instructions provided regarding the use of the online tools and the linking of the tasks online:

I was initially confused by the method of completing these tasks online (Student 3).

I really found the online component of the exercise a big, big challenge. I consider myself to be pretty computer savvy, but I really didn't feel that I had a grasp on what I was supposed to do or how to do it effectively. I always like to put 110% in my assessments and I work really hard in every assessment that I complete so I can achieve the best I possibly can, but I feel with this one I just was left not really knowing what to do. Some of this may be in part to not having any classes

or face-to-face time to really understand how to proceed with the tasks. However, in saying that, I do hope what I did was ok and I think that an online component does have its merits, I just prefer face-to-face negotiation (Student 4)

The instructions on what we were supposed to do/how it was supposed to work could have been clearer at the beginning (Student 5)

From their own observations as teachers and participants, it was clear to the authors that the main benefits of the blended learning task were the opportunities for the students to contribute asynchronously and at their own pace, to receive written feedback, as well as an ability to engage with peers and teachers in more than one learning environment. However, one clear drawback to the approaches taken in the case studies, particularly evident in the analysis of the survey responses, was the lack of student preparation for the use of the wikis and blogs. Thus the authors have identified the need for improved planning when implementing a blended design that includes role-plays, wikis and blogs. Through their reflective discussion, the authors identified some key concerns required to be addressed before using a blended learning and teaching approach in the context of role-plays.   These are now discussed and represented in diagramatic form.

Implementation Concerns: Role-plays, Wikis and Blogs

There are four implementation concerns that should be considered when using role-plays combined with the Web 2.0 options of wikis and blogs. These are i) Evaluating the learning context; ii) Identifying the learning outcomes; iii) Choosing relevant on-line tool(s); iv) Engaging in reflection and feedback.

The first concern requires law teachers to consider whether combining role-play with online tools would be beneficial to students learning about legal skills. Thus, it is necessary to evaluate the context in which the students are learning and the learning objectives of the course. Some of the contextual assessment questions may include whether face-to-face, online or blended learning are suitable, relevant, and appropriate to teach a particular law skills. How could students benefit from engagement in role-plays or debriefing in both face-to-face and the online environment? How skilled are the participants (students, teachers and tutors) in the use of the online environment? What online support and resources are available to assist the online experiences? What are the time factors and restriction to engage in blended learning and teaching? Additionally, it may be decided that participants need some initial training with the online tools, particularly if the degree of familiarity with online tools differs between the participants. Finally, consideration needs to be given to the technical stability of the platform and how to handle technical "glitches" as they occur. If blended learning was the way forward, then the teachers would need to consider the ways which the two activities should be blended. In the first case study provided in this article, wikis were used to prepare for the role-play in the face-to-face environment. In the second case study negotiation skills were undertaken in the face-to-face environment and then students designed and played out the role-plays in the online environment. Debriefing occurred online and then face-to-face.

Secondly, law teachers could consider the learning outcomes and then identify which legal skills would be taught in the blended learning environment. This step should extend to consideration of how to clearly identify the role expectations of all participants, including the facilitative role of the "teacher". It is crucial for the teachers to plan in advance, in particularly to think through the communication processes in order to convey clear instructions and provide the opportunity to give guidance or support to students before, during and after the role-plays. For example, are advanced instructions to be made available to students at the beginning of the term? Should some guidelines be printed and made available as handouts during lecture time or posted online? Should teachers be available to give instructions online? How could some of these communication strategies maximize the learning outcomes?

Thirdly, consideration needs to be given to assessing the functions, strengths, and limitations of each available online tool to assist in learning and teaching. In the authors' experience, discussion boards are useful during role-plays, but they do restrict the free flow of discourse due to the multiplying strands that can occur when students use discussion boards (Chu, 2008). In contrast, wikis provide the opportunity to play out the role-play on one screen with a comment and edit function. Blogs give the best support to encourage students to reflect on their learning experience in online diary entries. Law teachers should consider if both the face-to-face and online environments should be used for debriefing in order to ensure optimum learning regarding key concepts.

Finally, there is a need to consider and plan the form that the reflection, feedback and debriefing will take in the design. The value of a face-to-face feedback session needs to be weighed against the value of written reflection that ensures all ideas are recorded and all students have the chance to participate. This is particularly important to ensure the opportunity for equity of input by students. It is also important to obtain feedback from students about their attitude to the advantages and disadvantages of the face-to-face versus online environments in developing legal skills. This process of ongoing reflection and evaluation of learning and teaching will inform further improvements in design. Below, in Figure 1, is a diagram showing the issues for teachers to consider when planning for this type of learning and teaching approach.

1. ***Evaluating the Context****:*
- *Is the learning regarding the role-play objectives assisted by blended learning?*
- *How should the activity be blended ie what parts face-to-face and what parts online?*

4. ***Reflection and Feedback:***
- *What reflections do the teacher and students have regarding the experience of using the learning design?*
- *How will these reflections inform change in the future*

2. ***Identifying the Learning Outcomes:***
- *What are the learning outcomes for this blended activity? How should students be educated/informed about the blended nature of the role-play?*
- *What preparation activities will be undertaken?*
- *What protocols for online behavior will be developed?*
- *Who will develop these? Students? Teachers?*
- *How will students seek assistance if needed?*

3. ***Choosing the Relevant Tool****:*
- *What online tools and options are available?*
- *Which online tools are appropriate for the learning activity?*
- *Will more than one online tool be used (a wiki or a blog or another option) and if so, which is the best to use for different purposes?*
- *Should debriefing be both online and face-to-face?*

1. Evaluating the Learning Context

2. Identifying Learning Outcomes

Role-plays, Wikis and Blogs: Implementation Questions

4. Reflection and Feedback

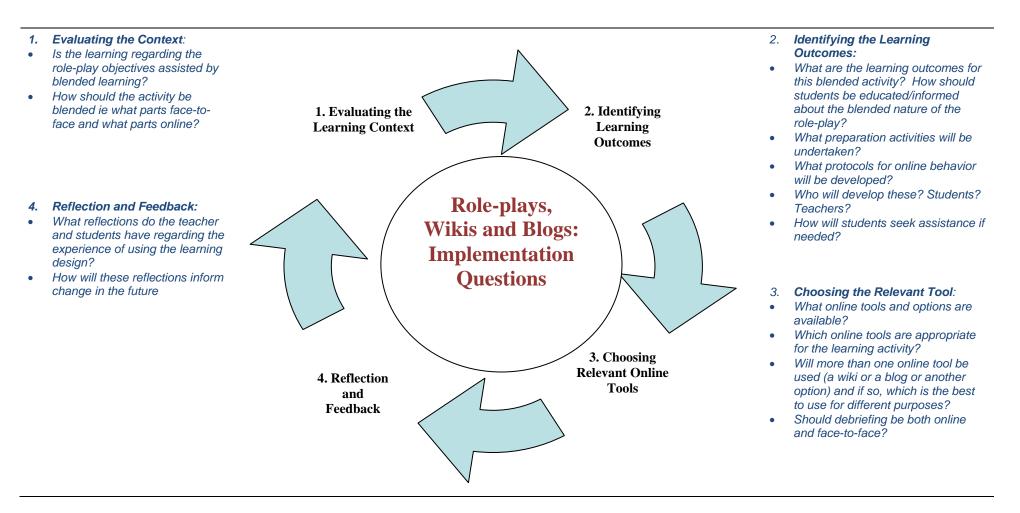**3. Choosing Relevant Online Tools**

Figure 1. Selected implementation concerns diagram

Conclusion

This article has discussed the use of blended learning designs in the teaching of legal skills. In the opinion of the authors, the combination of role-plays with the online tools of wikis and blogs facilitated students learning regarding the skills of advocacy and negotiation. However, in the second case study, it was clear that teacher planning is important when using a blended learning design in this context. It is important to think through the use of technology, and facilitate student understanding of wikis and blogs before using this kind of learning design. To assist other teachers to plan, the authors have provided a number of implementation concerns to consider in designing similar learning and teaching experiences. These questions will assist law teachers to use a blended design in the teaching of legal skills and may also assist teachers of other disciplines.

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