

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching



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ABSTRACT: The case method has become a fundamental tool for the training of lawyers due to its effectiveness in developing critical and practical skills necessary for the practice of the profession. Through the analysis of real and complex cases, students immerse themselves in legal practice, learning to identify problems, apply legal principles, and formulate effective solutions. This manual offers law teachers a comprehensive guide to implementing the case method effectively in their classrooms, allowing them to select appropriate cases, guide students in their analysis, encourage class participation, and comprehensively assess learning.

KEYWORDS: Case Method; Effective Learning Environment, Creative thinking.

INTRODUCTION

This resource provides law professors with the tools and strategies necessary to implement the case method effectively. Through a comprehensive guide, teachers will be able to understand the pedagogical foundations of the method, plan and design case-based classes, facilitate rich discussions and debates, evaluate student learning, and reflect on their own teaching practice to continually improve. In this way, the manual becomes an invaluable resource for the training of competent lawyers prepared to face the challenges of today's legal world.

The manual is organized into essential topics for teaching with the case method, beginning with its principles and application in law. It offers practical guides to select and prepare relevant cases for the CENEVAL General Bachelor's Graduation Examination (EGEL) in Mexico. Additionally, it includes strategies for leading discussions, managing class dynamics, and maintaining student interest. It also addresses methods to evaluate and provide feedback on student performance, and ends with ideas for incorporating technological innovations and teaching methods, promoting continuous improvement in teaching practice.

Teaching law through the case method not only prepares students to face the challenges of the real legal world, but also enriches their learning process by making them active participants in their own education. This manual aims to be an essential tool for law teachers, supporting them in creating a stimulating and effective learning environment, where future lawyers can develop the skills and knowledge necessary for their profession.

Welcome to this exciting educational adventure! With the case method, together we can transform legal education and prepare our students to become competent, critical and committed lawyers.

The case method as an axis of experiential learning is a central component of the 2024 curriculum of the Faculty of Law of the Autonomous University of Guadalajara (UAG). Experiential programs complement traditional classroom analytical training. Practical learning allows students to develop practical advocacy skills, explore potential career paths, reflect on their professional identity, and observe how the justice system works. UAG offers a wide range of opportunities for students to learn by doing, both in the classroom and outside of it.

1 Law degree, conceptualization:

The law degree is conceived as a space for professional training oriented to *the practice of justice for the achievement of the common good* and the integration of a society that enables the full development of people and the community itself. It involves *comprehensive and specialized knowledge* that enables law graduates to interpret, apply and promote justice, advise individuals

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

and organizations, and contribute to the development and functioning of the legal system in various areas of society. It places professional practice in a specific time and context in such a way that the academic itinerary is updated depending on the circumstances and prevailing regulations.

A law degree is also an option for vocational and personal fulfillment for those who *appreciate justice and wish to make its practice a virtue, a way of life*. Deep reasoning about coexistence between people, conflict situations and crime are opportunities to appreciate the good of justice and encourage the student to flourish and perfect their faculties through the responsible use of their freedom in their life project and in its ultimate purpose.

The professional practice of a lawyer demands integrity in those who practice it, which is why their education is based on the nature of the person and the meaning of life in the community. Considering that, *ontological truth does not belong to subjects or their mental representations, but is an inherent characteristic of things themselves*, which allows them to be known perfectly and adequately in a certain sense. *The truth is not created, it is assumed*. The truth stands on its own and does not depend on external validation mechanisms.¹

In this sense, legal education is oriented *based on natural law and the common good*, solidarity and subsidiarity, which implies harmonizing private interests and the interests of others so that people choose freely (in instead of being forced and manipulated) cooperate with others and contribute to the shared purpose. This implies the creation of a legal framework that promotes economic, social and cultural development, guaranteeing that the actions of the state and individuals contribute to the well-being of the individual and the community. *The rule of law is an essential principle* that underpins the legal structure of any society. The Law degree trains future lawyers to defend the supremacy of the law, guarantee that all people, including rulers, are subject to the same rules and promote justice without arbitrariness.

In this framework, *the case method is fundamental for lawyer education* because it provides a practical approach that prepares students for real situations in their future professional practice. It allows professional practice to be placed in a current context, promoting deep reasoning about coexistence, conflicts and crime. This helps students appreciate the good of justice and develop their personal and vocational skills and values, in line with the principles of integrity and responsibility.

Furthermore, the case method reinforces the idea that ontological truth is inherent in things themselves and does not depend on external validations. This teaches future lawyers to assume the truth and apply the principles of justice ethically, in the formulation and interpretation of the law, contributing to the common good.

In conclusion, the law degree is a career dedicated to the promotion of justice, human flourishing, the common good and the rule of law, based on the principles of natural law and the practice of virtues. *This degree not only trains legal professionals, but also defenders of human dignity and peaceful coexistence in society*.

2 Approach and implementation of the case method in the training of law graduates

The case method is a fundamental pedagogical tool in the training of lawyers. Through the analysis and discussion of real or hypothetical cases, students develop critical, analytical and legal argumentation skills, essential for the practice of law.

Since its implementation in the late 19th century at Harvard Law School, the case method has been the emblematic pedagogical technique of US law schools.² The case method is used in the law schools of the most prestigious universities in the world, such as: Harvard Law School, Yale Law School, Stanford Law School, University of Chicago Law School, Columbia Law School, among others³. It is pertinent to emphasize that the nature of the legal system of Mexico is different from that of the United States of America, however, the case method presented below is described as a real implementation in circumstances of a specific manner, time and place, which constitute a legal problem as a starting point to introduce students to a national legal reality.

2.1 Benefits of the case method approach:

The case study method promotes active and participatory learning, encouraging student initiative and the development of comprehensive skills. By analyzing real legal scenarios, students apply legal principles and cultivate their critical analysis and problem-solving skills. This approach generates a dynamic classroom environment, where discussion and the exchange of ideas are fundamental pillars of the learning process.

¹ RIBEIRINHO MACHADO, Ana Alexandra Paupério. "Teoría de los Valores de Schwartz: Fundamentación y aplicación al contexto del trabajo". Fontrodona, J. (dir.). Tesis doctoral. Universidad de Navarra, Pamplona (2020). Retrieved July 30, 2024 <https://dadun.unav.edu/handle/10171/59694>

² Gabilondo, J. "El método de los casos en la pedagogía jurídica de los EEUU: una valoración subjetiva". *Revista Pedagogía Universitaria y Didáctica del Derecho* (2017), 4(1), pp. 74–114. Retrieved July 30, 2024 <https://doi.org/10.5354/0719-5885.2017.46251>

³ For more information, see Harvard Law School, "The Case Study Teaching Method" (2021) Retrieved July 30, 2024 <https://bit.ly/3N1wJUi>

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

The case method is distinguished by focusing on a context of discovery and justification, based on reasoning based on evidence, and focused not only on the creation and development of concepts in a casuistic manner, but also on their concretion through examples.⁴ From this perspective, the following benefits of the case method are:

2.1.1 Develops critical and analytical skills: Students learn to carefully read the facts of the case, identify relevant legal issues, research applicable law, and develop sound arguments.

2.1.2 Improves argumentation skills: Students learn to present their arguments clearly, concisely and persuasively, and to respond to the arguments of others.

2.1.3 Promotes creative thinking: The case method motivates and guides students to think creatively and find innovative solutions to legal problems.

2.1.4 Encourages participation: Students actively participate in their own learning, which helps them be more motivated and engaged with the material.

2.1.5 Prepares students for the practice of law: The case method exposes students to the real-world challenges of law and helps them develop the skills they need to be successful in practice.

2.2 How is the case method implemented?

Applying the case method in law school consists of using real situations to enhance students' practical skills and decision-making ability. This method focuses on strengthening practical legal reasoning through the study and analysis of complex legal cases.⁵

2.2.1 Selection of subjects: The department's academy determines the subjects where the use of the case method is relevant. Look at annex 1

2.2.2 Didactic structure of cases: The department's academy determines the didactic structure for the analysis of cases in class and defines the principles and elements that will guide its analysis.

2.2.3 Case selection and/or design: The teacher selects a case that is relevant to the topics being studied and that presents an intellectual challenge to the students. The cases can be real, such as judicial decisions, or hypothetical, created by the teacher or by the students themselves.

2.2.4 Analysis of the case: Students receive the case in advance and are asked to analyze it in depth. This involves carefully reading the facts of the case, identifying relevant legal issues, researching the applicable law, and developing arguments for each side of the case.

2.2.5 Class Discussion: In class, students discuss the case under the guidance of the teacher. Each student has the opportunity to present their arguments, debate with their peers, and receive feedback from the teacher.

2.2.6 Reflection: After class discussion, students reflect on what they have learned. This may involve writing an essay, creating a flow chart, or simply thinking about how the case has changed the way you view the law.

In implementation, it is relevant to consider the guide offered by the National Evaluation Center for carrying out the General Examination for the Graduation of the Bachelor of Laws (EGEL), which requires descriptors of the performance levels of the disciplinary areas in relation to the degree of mastery that the candidate will demonstrate in relation to the knowledge (knowledge) and skills (know-how) grouped in the areas. The aforementioned guide points out, warns and suggests examples of multiple choice items with three answer options, which are through cases that the candidate must resolve, hence the importance of their consultation.⁶

2.3 Criteria for selecting cases in the case method in lawyer training

For the case method to be an effective tool in training lawyers and to encourage active learning in students, careful case selection is essential. In this sense, the following key criteria must be considered:

2.3.1 Relevance to the subject: They must be relevant to the topics being studied in the course. This means that the facts of the case must illustrate the legal principles that are discussing and that the legal issues raised in the case must be representative of those that lawyers encounter in practice.

2.3.2 Expected learning: They should be chosen based on the learning objectives of the course. The cases should help students achieve the learning objectives of the course. Also, taking into account the national exam for law graduates EGEL from CENEVAL.

⁴ Sotomayor Trelles, J. E., Uscamayta, G., Díaz Ruíz, N. A., Apaza Jallo, N. J., & Higa, C. "La enseñanza del derecho y del razonamiento probatorio mediante el método del estudio de caso: Argumentos para su adopción y su adaptación a contextos virtuales". *Revista Pedagogía Universitaria y Didáctica del Derecho* 10(1) (2023) 91–112 <https://doi.org/10.5354/0719-5885.2023.69117>

⁵ Pereira J. & Silveira M., "O Método do caso no ensino jurídico como resposta á necessária abertura dos textos normativos sobre responsabilidade civil", *Revista Jurídica*, vol. 01, No. 54 (2019) 452-480. Retrieved July 30, 2024 <https://typeset.io/pdf/o-metodo-do-caso-no-ensino-juridico-como-resposta-a-1ekli7vzta.pdf> 30

⁶ CENEVAL. 2023. "Guía para el sustentante Examen General para el Egreso de la Licenciatura en Derecho", GUÍA-EGEL-PLUS-DERE, México. January 2023. Retrieved July 30, 2024 <https://www.ceneval.edu.mx/wp-content/uploads/2023/01/GUIA-EGEL-DERE.pdf>

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

2.3.3 Expected learning: They should be chosen based on the learning objectives of the course. The cases should help students achieve the learning objectives of the course, also taking into account the national exam for law graduates EGEL from CENEVAL.

2.3.4 Appropriate for level: They must be appropriate for the level of the students. Freshman cases should be simpler than upperclassman cases.

2.3.5 Complexity: They should be complex enough to challenge students and force them to think critically. However, they should not be so complex that they overwhelm students or make them feel lost. However, it should be considered to create a critical situation and a degree of difficulty.

2.3.6 Diversity: Be diverse in terms of facts, legal problems and results, considering any of the following perspectives: 1) litigation; 2) the public function; and 3) public faith, as well as alternative means of conflict resolution. This will help students develop a broader understanding of law and see how legal principles apply in different contexts.

2.3.7 Current affairs: Be current and reflect the current state of law. This will help students develop legal skills that are relevant to current practice.

2.3.8 Interest: The cases should be interesting and attractive to students. This will help keep students motivated and engaged with the material.

2.3.9 Availability: Be easily available to students. This may mean making cases available online, in a library, or in a case collection.

2.3.10 Unity: Cases must be linked in theory and practice; That is, the literature entrusted to students must complement the substantive and adjective subjects.

Furthermore, there are specific factors that must be considered when selecting cases for different types of courses. For example, when selecting cases for a criminal law course, it is important to consider the severity of the crime, the age and history of the defendant, and the available evidence. When selecting cases for a civil law course, it is important to consider the type of contract or tort involved, the amount of damages, and the relationship between the parties.

It is important to note that there is no one-size-fits-all approach to case selection. Instructors should use their own judgment and experience to select cases that are appropriate for their students and their courses, promoting both a substantive and adjective study.

2.4 Ideal profile of teachers

The learning and assessment of university students in legal areas has traditionally been content-and teacher-focused. Consequently, the most important thing was to provide students with the knowledge and content of the subjects included in the different study plans. Thus, the pedagogical and methodological option was based almost exclusively in the master lesson and in the evaluation of the theoretical knowledge acquired, often in a purely rote manner.⁷

In this context of teaching practice, to select and effectively use the case method in the training of lawyers, it is relevant that teachers possess various competencies and skills, among the main ones they must possess are:

2.4.1 Subject Matter Mastery: Professors must have in-depth and up-to-date knowledge of the areas of law they teach. This will allow us to select relevant and current cases that reflect the state of the law, combining theory with practice, the substantive and the adjective.

2.4.2 Practical experience: Ideally, teachers should have practical experience in the legal field. This experience provides a deeper understanding of how legal theories are applied in real-world situations.

2.4.3 Ability to structure learning: They must be able to design the didactic structure of the cases, define principles and elements for their analysis, and guide students in the learning process.

2.4.4 Facility for interactive teaching: Teachers must be skilled in fostering class discussions, making it easier for students to present and debate arguments effectively.

2.4.5 Selection of relevant cases: Teachers should be able to identify cases that are not only relevant to the course topics, but also promote critical and analytical thinking among students.

2.4.6 Assessing complexity: They should be able to assess the complexity of cases to ensure they are challenging but not overwhelming for students.

2.4.7 Clarity in explanation: They must be able to explain the legal concepts and facts of the case in a clear and concise manner.

2.4.8 Ability to argue: They must be models of good practice in legal argument, demonstrating how to present and defend an argument persuasively.

2.4.9 Ability to motivate and engage students: Teachers must be passionate about teaching and be able to transmit that passion to their students. In addition, they must be empathetic and willing to support students in their learning process, fostering an environment of participation and commitment.

⁷ Vallespín Pérez, D. "El método del caso como instrumento de aprendizaje en el derecho procesal". *Revista de Educación y Derecho* 03 (oct-mars) (2010) 1-10. Retrieved July 30, 2024 <https://revistes.ub.edu/index.php/RED/article/view/1785/1759>

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

2.4.10 Research skills and continuous updating: This involves having strong legal research skills to find and select up-to-date and relevant cases keeping in mind changes and developments in the field of law to ensure that the selected cases reflect the current state of the law.

2.4.11 Understanding Diversity: They should be aware of the importance of selecting diverse cases that cover a wide range of facts, legal problems and outcomes, helping students develop a more complete understanding of the law.

2.4.12 International Perspective: In a globalized world, it is beneficial for professors to have an international perspective, selecting cases that also reflect problems and solutions from other legal systems.

These attributes favor pedagogical certainty in teaching and the generation of significant learning experiences.

Quiz 1:

Instructions: Read each question carefully and select the answer that best answers it.

1. Which of the following is a benefit of the case method?

- a) Develops memorization and repetition skills.
- b) Promotes critical and analytical thinking.
- c) It encourages passivity and lack of student participation.
- d) Prepares students for standardized tests.

2. At what stage of the case method do students analyze the case in depth?

- a) Subject selection
- b) Didactic structure of the cases
- c) Case selection
- d) Case analysis

3. Which of the following is a criterion for selecting cases in the case method?

- a) That they are relevant to the subject and the learning objectives.
- b) Let them be long and complex.
- c) That they are easy to solve and do not represent a challenge for students.
- d) That is not available to students.

4. What is the importance of case selection in the case method?

- a) It is not important, since any case can be used effectively.
- b) It is irrelevant, since the teacher is the one who guides the students' learning.
- c) It is not necessary, since students can select their own cases.
- d) It is essential to promote active and meaningful learning for students.

5. What types of cases are most appropriate for first-year students?

- a) Complex cases involving multiple legal problems.
- b) Simple cases that illustrate basic legal concepts.
- c) Hypothetical cases created by the teacher.
- d) Real cases that have been resolved by the Supreme Court.

6. Which of the following competencies is essential for a professor to select relevant and current cases that reflect the state of the law?

- a) Ability to argue
- b) Ease of interactive teaching
- c) Subject Matter Mastery
- d) Understanding Diversity

7. Why is it important for professors to have practical experience in the legal field?

- a) To select cases that promote creative thinking
- b) To understand how legal theories are applied in real situations
- c) To design the didactic structure of the cases
- d) To motivate and engage students

<p>8. What skill allows teachers to design the didactic structure of the cases and guide students in the learning process?</p> <p>a) Complexity Assessment b) Research and continuous updating skills c) Ability to structure learning d) Clarity in explanation</p> <p>9. What competency is crucial for teachers to facilitate students presenting and debate their arguments effectively in class?</p> <p>a) Ease of interactive teaching b) Selection of relevant cases c) International perspective d) Understanding Diversity</p> <p>10. What characteristic allows teachers to explain legal concepts and case facts clearly and concisely?</p> <p>a) Ability to motivate and engage students b) Clarity in explanation c) Practical experience d) Ease of interactive teaching</p>
<p>Answers:</p> <p>(1) b) Promotes critical and analytical thinking. (2) d) Analysis of the case (3) a) That are relevant to the subject and the learning objectives. (4) d) It is essential to promote active and meaningful learning of students. (5) b) Simple cases that illustrate basic legal concepts. (6) c) Mastery of the subject (7) b) To understand how legal theories are applied in real situations (8) c) Ability to structure learning (9) a) Facility for interactive teaching (10) b) Clarity in the explanation</p>

Activity 1: Specific factors for areas of Law

<p>Instructions: List the specific factors that must be considered to select cases according to area of Law, discuss them with other participants and reach a consensus agreement. Consider that these factors are not within the general selection criteria (See point 3)</p>
Constitutional law
Criminal law
Civil law
Administrative law
Labor Law

3 Didactic process for teaching through cases in law school

This approach not only helps students better understand the law and its practical application, also develops essential skills such as critical thinking, diagnosis, argumentation, decision making and effective communication. The didactic process to teach through cases requires a structured and participatory approach in order to develop critical, analytical and practical skills in students. To this end, the key steps of the process are described:

3.1 Case selection:

3.1.1 Relevance: The case must be relevant to the course topic and reflect real situations that students may face in their professional practice.

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

3.1.2 Complexity: It should have a level of complexity appropriate to the level of the students, providing enough detail to allow in-depth analysis, but not so complicated that it is overwhelming.

3.2 Previous preparation:

3.2.1 Reading and Analysis: Students should read the case carefully before class. They may be asked to identify relevant facts, legal problems, and possible solutions.

3.2.2 Additional Research: Students are often required to research applicable laws, judicial precedents, and relevant doctrines.

3.3 Class discussion:

Case method classes, which really make a difference, rely heavily on dynamic and enriching conversation. However, involving students can be challenging and requires management skills.⁸ Sometimes students are too shy, afraid of making mistakes in their answers, or do not understand the questions asked. Whatever the reason, educators can take proactive steps to ensure that case discussions in their classroom are robust and effective.

In this direction, Schiano B., Weiss M., Noel H., Rodas M. and Roberto M., editors of Harvard Business Education Publishing⁹, need some advice to achieve this, in relation to formulating the correct initial question, how to use AI to brainstorm interesting discussion questions, value student contributions by helping them stay on track, and provide multiple avenues for discussion. Next, the moments of discussion of the case in class are specified.

3.3.1 Presentation of the case: The teacher briefly introduces the case, highlighting key aspects and learning objectives.

3.1.2 Interaction and debate: Student participation is encouraged through open questions, debates and discussion of different points of view. The teacher acts as a facilitator, guiding the discussion and helping students deepen their understanding.

3.1.3 Critical Analysis: Students are encouraged to critically analyze the arguments presented, evaluate the strengths and weaknesses of each position, and consider the practical implications of possible solutions.

3.4 Resolution of the case:

3.4.1 Formulation of arguments: Students must formulate and present their own arguments and solutions to the case, based on previous analysis and class discussion.

3.4.2 Evaluation of alternatives: Different approaches and solutions are discussed and evaluated, considering legal, ethical and practical aspects.

3.5 Reflection and synthesis:

3.5.1 Lessons learned: The professor summarizes the main lessons of the case, highlighting the legal principles and practical skills developed.

3.5.2 Feedback: Feedback is provided to students on their participation, analysis and proposals, helping them improve their skills for future cases.

3.6 Practical application:

3.6.1 Simulation of real situations: In some cases, a trial, negotiation or mediation simulation can be carried out based on the case studied, allowing students to apply what they have learned in a practical context.

3.6.2 Assignments and Projects: Additional assignments or projects may be assigned that require students to apply the principles learned to new cases or hypothetical situations.

3.7 Student Roles and Responsibilities:

Considering that the student is the protagonist in achieving the expected learning; As well as better levels of performance, the following are the functions and responsibility of the students, for the effective functioning of the case method:

3.7.1 Preparation: Read and analyze the case in detail before class, identifying key problems, relevant facts, and possible solutions.

3.7.2 Critical analysis: Evaluate the different perspectives and approaches to the case, questioning and analyzing the possible implications of each option.

3.7.3 Application of Knowledge: Integrate theoretical concepts and prior knowledge in the analysis of the case, applying theory to practical situations.

3.7.4 Teamwork: Collaborate with other students, working in groups to discuss and solve the problems of the case.

3.7.5 Active listening: Paying attention to the contributions of others, respecting different points of view and building on the ideas of others.

⁸ Schiano, B., "Manejo de la discusión de un caso que sale mal: 4 escenarios desafiantes de enseñanza de casos y qué hacer". *Harvard Business Publishing Education* October 04 (2023). Retrieved July 30, 2024 <https://hbsp.harvard.edu/inspiring-minds/managing-a-case-discussion-that-goes-awry>

⁹ Schiano, B., Weiss M., Noel H., Rodas M. y Roberto M., "CASE TEACHING: 5 Tips to Get Your Case Class Talking", *Harvard Business Education Publishing*, February 06 (2024). Retrieved July 30, 2024 <https://hbsp.harvard.edu/inspiring-minds/5-tips-to-get-your-case-class-talking>

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

3.7.6 Effective Communication: Express ideas clearly and persuasively, both orally and in writing, justifying your positions with solid arguments.

3.7.7 Reflection: Reflect on the learning process and how the solutions discussed can be applied in real contexts.

3.7.8 Active participation and punctuality: The interaction of each of the students in the assigned activities is essential to get involved in each topic; as well as the deliverable in a timely manner of works. Of course, actively contribute to class discussions, sharing ideas, arguments and perspectives with your classmates.

3.7.9 Individual Responsibility: Take responsibility for your own learning, managing the time and resources necessary for adequate preparation

3.7.10 Evaluation and Feedback: Participate in the evaluation of your own and your colleagues' performances, providing and receiving constructive feedback to continually improve.

Quiz 2

Multiple choice exam on the didactic process for teaching through cases in law school

Instructions: Read each question carefully and select the answer that best answers it.

1. What is the main goal of teaching through cases in law school?

- a) Develop critical, analytical and practical skills for the practice of law.
- b) Help students memorize laws and articles of the code.
- c) Encourage passivity and lack of student participation.
- d) Prepare students to pass certification exams.

2. What characteristic must a case have to be selected for use in teaching?

- a) Make it long and complex, with multiple irrelevant details.
- b) Make it easy to solve and not present any challenge to the students.
- c) That is relevant to the topic of the course and reflects real situations.
- d) That is not available to students and requires an exhaustive search.

3. What are students expected to do before class discussion of a case?

- a) Attend class without having read or analyzed the case.
- b) Wait for the teacher to explain the case to you in class.
- c) Look for a summary of the case on the internet to avoid reading it in its entirety.
- d) Read the case carefully, identify the relevant facts and possible solutions.

4. What is the role of the teacher during the class discussion of a case?

- a) Present the case and then let the students discuss without your intervention.
- b) Act as a facilitator, guiding the discussion and helping students deepen their analysis.
- c) Impose your point of view and criticize the opinions of the students.
- d) Do not participate in the discussion and allow students to reach their own conclusions.

5. What are students expected to do at the end of solving a case?

- a) Memorize the facts and legal rules of the case.
- b) Formulate your own arguments and solutions to the case, based on the previous analysis.
- c) Simply repeat what the teacher said during the class discussion.
- d) Do not participate in the resolution of the case and wait for the teacher to provide you with the correct answer.

6. What is the importance of reflection and synthesis in the teaching process through cases?

- a) It is not important, since the students have already learned everything they need to know during the class discussion.
- b) It is irrelevant, as the main focus should be on resolving the case itself.
- c) It is essential for students to consolidate their learning, identify key lessons and receive constructive feedback.
- d) This is not necessary, as students can reflect and synthesize the information on their own without the teacher's guidance.

7. How can students apply the knowledge gained through the case method in law school?

- a) Through simulations of real situations, such as trials, negotiations or mediations.
- b) Carrying out tasks or projects that require applying the principles learned to new cases or hypothetical situations.
- c) Simply by memorizing the legal rules and arguments presented in class.
- d) There is no way to apply the knowledge gained through the case method in a practical setting.

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

<p>8. Which of the following is a function of preparation for students in the case method?</p> <p>a) Reflect on the learning process. b) Evaluate the performance of colleagues. c) Read and analyze the case in detail before class. d) Collaborate with other students.</p> <p>9. What does active listening involve in the case method?</p> <p>a) Evaluate the different perspectives and approaches to the case. b) Pay attention to the contributions of others, respecting different points of view. c) Take responsibility for your own learning. d) Express ideas clearly and persuasively.</p> <p>10. Which of the following is an individual responsibility of the student in the case method?</p> <p>a) Actively contribute to class discussions. b) Manage the time and resources necessary for adequate preparation. c) Collaborate with other students in solving problems. d) Reflect on how the solutions discussed can be applied in real contexts.</p>
<p>Answers:</p> <p>(1) a) Develop critical, analytical and practical skills for the practice of law. (2) c) That is relevant to the course topic and reflects real situations. (3) d) Read the case carefully, identify the relevant facts and possible solutions. (4) b) Act as a facilitator, guiding the discussion and helping students deepen their analysis. (5) b) Formulate your own arguments and solutions to the case, based on the previous analysis. (6) c) It is essential for students to consolidate their learning, identify key lessons and receive constructive feedback. (7) a) Through simulations of real situations, such as trials, negotiations or mediations. (8) c) Read and analyze the case in detail before class. (9) b) Pay attention to the contributions of others, respecting different points of view. (10) b) Manage the time and resources necessary for adequate preparation.</p>

Activity 2: Key readings for solving cases in Law

<p>Instructions: Specify the key readings to solve cases in relation to areas of Law. For this purpose, the following criteria must be considered: Authority of the source, Impact of the journal, among others. subject...</p>
<p>Constitutional law. For example: Debate of the Constituent Congress of 1917 of the reform of article 115 of the Magna Carta Articles 19, 20, 21, 22; and 23 of the Federal Constitution</p>
<p>Criminal law</p>
<p>Civil law</p>
<p>Administrative law</p>
<p>Labor Law</p>

4 Elements for the didactic planning of a class with the case method

Planning a case method class in law requires careful preparation and a dynamic approach that promotes participation, critical thinking, and the practical application of legal knowledge. Didactic planning involves considering the following elements to ensure that the session is effective and enriching for students:

4.1 Expected learning:

4.1.1 Clear definition: Establish specific and measurable objectives that are expected to be achieved with the case study.

4.1.2 Relevance: Ensure that objectives are aligned with the course curriculum and desired learning outcomes.

4.2 Case selection

4.2.1 Relevance: Choose a case that is relevant to the topic being taught.

4.2.2 Level of difficulty: Adapt the complexity of the case to the level of knowledge and skills of the students.

4.2.3 Current affairs and context: Preferably select recent and contextually significant cases that capture the interest of students.

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

4.3 Previous preparation of students

4.3.1 Assigned readings: Provide relevant reading materials (legislation, doctrines, precedents) that students should review before class.

4.3.2 Study guide: Give clear instructions on what aspects of the case they should analyze and reflect on.

4.3.3 Preparatory questions: Suggest key questions to guide the analysis of the case and prepare students for the class discussion.

4.4 Class structure

4.4.1 Introduction of the case: Briefly present the case, highlighting the relevant facts and context.

4.4.2 Guided discussion: Plan open questions and activities that promote debate and participation.

4.4.3 Roles and dynamics: Consider the use of specific roles (for example, defense attorney, prosecutor, judge) to enrich the discussion and simulate real situations.

4.5 Teaching methodology

4.5.1 Facilitation: Adopt a facilitator role instead of a mere transmitter of knowledge, guiding the discussion and encouraging critical thinking.

4.5.2 Interaction: Encourage interaction between students, promoting teamwork and collaboration.

4.5.3 Continuous evaluation: Ask questions during class to evaluate understanding and adjust the dynamics as necessary.

4.6 Tools and resources

4.6.1 Technology: Use technological tools (presentations, online discussion platforms, legal databases) to support teaching.

4.6.2 Support materials: Provide diagrams, diagrams, and other materials that facilitate the analysis of the case.

4.7 Evaluation and feedback

4.7.1 Formative assessment: Implement formative assessment activities during class, such as quick quizzes or short debates.

4.7.2 Constructive feedback: Provide immediate and constructive feedback on students' contributions during the discussion.

4.7.3 Post-reflection: Propose a post-case reflection, where students can consolidate what they have learned and consider how to apply that knowledge in future situations.

4.8 Adaptability and flexibility

4.8.1 Flexibility: Be prepared to adjust the class according to the needs and responses of the students.

4.8.2 Student feedback: Request and consider student feedback to improve future sessions with the case method.

Quiz 3:

Instructions: Read each question carefully and select the answer that best answers it.

1. What is the main objective of defining clear expected learnings when planning a class with the case method?

- a) Provide students with a list of topics to memorize.
- b) Establish specific, measurable goals that guide learning during class.
- c) Ensure that the class is entertaining and dynamic for students.
- d) Assess students' prior knowledge about the case.

2. What characteristic should a case selected for a class with the case method in law have?

- a) Make it long and complex, with irrelevant details that may confuse students.
- b) Make it relevant to the topic being taught and the level of knowledge of the students.
- c) Make it easy to solve and not present any challenge to the students.
- d) That is not available to students and requires an exhaustive search on the internet.

3. What is the role of the teacher during the discussion of a case in class using the case method?

- a) Present the case and then let the students discuss without your intervention.
- b) Act as a facilitator, guiding the discussion, encouraging critical analysis and student participation.
- c) Impose your point of view and criticize the opinions of the students.
- d) Do not participate in the discussion and allow students to reach their own conclusions without guidance.

4. What teaching tool or resource is NOT recommended to use in a class with the case method in law?

- a) Open questions that promote debate and critical reflection.
- b) Specific roles to simulate real situations, such as defense attorney, prosecutor or judge.
- c) Multimedia presentations or online discussion platforms to support teaching.
- d) A pop quiz at the end of class to test students' knowledge of the case.

5. What is the importance of evaluation and feedback in a class with the case method?

- a) It is not important, since students can evaluate their own learning without the need for external feedback.

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

- b) It is essential for the teacher to identify areas for improvement and adjust teaching according to the needs of the students.
- c) It is irrelevant, since the main objective of the class is for students to discuss the case among themselves.
- d) It is not necessary, since the only valid evaluation is the students' self-assessment.

6. What action demonstrates that a teacher is using a flexible and adaptive approach in a case method class?

- a) Following a rigid plan without considering students' reactions or questions.
- b) Ignore the students' feedback and continue with the class as planned.
- c) Adjust the dynamics of the class according to the pace of learning and the interest of the students.
- d) Refuse to answer questions from students that are not directly related to the case.

7. What is the benefit of using the case method in teaching law?

- a) Helps students quickly memorize large amounts of legal information.
- b) Develops critical, analytical and legal argumentation skills in students.
- c) It encourages passivity and lack of student participation in the learning process.
- d) Prepares students to pass standardized legal knowledge exams.

Answers:

- (1) b) Establish specific and measurable goals that guide learning during class.
- (2) b) That is relevant to the topic being taught and the level of knowledge of the students.
- (3) b) Act as a facilitator, guiding the discussion, encouraging critical analysis and student participation.
- (4) d) A surprise exam at the end of class to evaluate students' knowledge of the case.
- (5) b) It is essential for the teacher to identify
- (6)
- (7)

5 Format for the lesson plan using the case method in law

The main objective of a lesson plan is to ensure structured and effective teaching. A lesson plan allows the teacher to organize and present the contents in a coherent manner, establishing clear objectives and appropriate methods to achieve them. In addition, it facilitates the planning of teaching activities that promote active learning and student participation, as well as the evaluation of their progress.¹⁰ In this sense, this format includes sections to cover all the key elements of didactic planning.

5.1 General information

- 5.1.1 Teacher's name:
- 5.1.2 Course:
- 5.1.3 Class Topic:
- 5.1.4 Date:
- 5.1.5 Class Duration:

5.2 Expected learning:

- 5.2.1 Objective 1:
- 5.2.2 Objective 2:
- 5.2.3 Objective 3:

5.3 Case Selection

- 5.3.1 Case title:
- 5.3.2 Brief Description of the Case:
- 5.3.3 Reason for Case Selection:
 - 5.3.3.1 Relevance to the course topic:
 - 5.3.3.2 Connection with learning objectives:

5.4 Prior Preparation of Students

- 5.4.1 Assigned Readings:
 - 5.4.1.1 Text 1:
 - 5.4.1.2 Text 2:

¹⁰ Atkinson and Bregazzi. "Planning for classroom teaching". *South Sudan Medical Journal*, 15(4) (2022) 152-155 © 2022 The Author (s) License: This is an open access article under CC-BY-NC DOI: <https://dx.doi.org/10.4314/ssmj.v15i4.7>

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

5.4.2 Study guide:

5.4.2.1 Key points to analyze:

5.4.2.2 Preparatory questions:

5.5 Class Structure

5.5.1 Introduction of the Case (10 minutes):

5.5.1.1 Brief presentation of the case:

5.5.1.2 Context and relevant facts:

5.5.2 Guided Discussion (40 minutes):

5.5.2.1 Initial questions to encourage discussion:

5.5.2.2 Facilitation techniques (e.g. debates, group work):

5.5.2.3 Role dynamics (if applicable):

5.5.3 Critical Analysis (20 minutes):

5.5.3.1 Formulation of arguments by students:

5.5.3.2 Evaluation of different approaches and solutions:

5.5.4 Case Resolution (15 minutes):

5.5.4.1 Discussion of possible solutions:

5.5.4.2 Conclusion of the case and summary by the teacher:

5.6 Tools and Resources

5.6.1 Technology:

5.6.1.1 Presentations:

5.6.1.2 Online discussion platforms:

5.6.2 Support materials:

5.6.2.1 Diagrams:

5.6.2.2 Schemes:

5.6.2.3 Another resources:

5.7 Evaluation and Feedback

5.7.1 Formative Evaluation Methods:

5.7.1.1 Quick Quizzes:

5.7.1.2 Short discussions:

5.7.2 Feedback:

5.7.2.1 Immediate during class:

5.7.2.2 Subsequent tasks or projects:

5.8 Reflection and Synthesis

5.8.1 Learned lessons:

5.8.1.1 Main learning's from the case:

5.8.1.2 Connection with legal theory:

5.8.2 Post-Case Reflection:

5.8.2.1 Reflection questionnaire for students:

5.8.2.2 Follow-up tasks:

5.9 Adaptability and Flexibility

5.9.1 Contingency plans:

5.9.1.1 Adjustments in case of low participation:

5.9.1.2 Alternatives if the case is too complex:

5.10 Feedback and Continuous Improvement

5.10.1 Student Feedback Compilation:

5.10.1.1 Method (e.g. surveys, open discussions):

5.10.1.2 Key questions for feedback:

5.10.2 Teacher Self-Evaluation:

5.10.2.1 Aspects that worked well:

5.10.2.2 Areas to improve:

5.10.3 Professional development:

5.10.3.1 Training and training opportunities:

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

6 Example of a Lesson Plan using the Case Method

6.1 General Information

- 6.1.1 Professor Name: Dr. Juan Pérez
- 6.1.2 Course: Constitutional Law
- 6.1.3 Class Topic: Freedom of Expression and its Limits
- 6.1.4 Date: September 10, 2024
- 6.1.5 Duration: 90 minutes, two classes.

6.2 Expected learning

- 6.2.1 Learning 1: Understand the legal foundations of freedom of expression.
- 6.2.2 Learning 2: Analyze the legal and doctrinal limitations of freedom of expression.
- 6.2.3 Learning 3: Develop critical and argumentative skills in the context of real cases.

6.3 Case Selection

- 6.3.1 Case Title: "The case of the Controversial Cartoon"
- 6.3.2 Brief Description of the Case: A cartoonist is sued for publishing a cartoon that, according to the plaintiff, infringes his fundamental rights.
- 6.3.3 Reason for Case Selection:
 - 6.3.3.1 Relevance to the course topic: Freedom of expression and its limits.
 - 6.3.3.2 Connection with learning objectives: Allows discussion of foundations and limits of freedom of expression.

6.4 Prior Preparation of Students

- 6.4.1 Assigned Readings:
 - 6.4.1.1 Text 1: Articles 1, 6, 19, 20, 21, 22, 23 of the Constitution, as well as the Federal Copyright Law.
 - 6.4.1.2 Text 2: Relevant jurisprudence on freedom of expression
- 6.4.2 Study guide:
 - 6.4.2.1 Key points to analyze: Rights involved, limitations, jurisprudence
 - 6.4.2.2 Preparatory questions: What arguments do the parties present? How is the limitation of freedom of expression justified in this case?

6.5 Class Structure

- 6.5.1 Case Introduction (10 minutes):
 - 6.5.1.1 Brief presentation of the case: Facts and context
 - 6.5.1.2 Context and relevant facts: Cartoon and the demand
- 6.5.2 Guided Discussion (40 minutes):
 - 6.5.2.1 Opening questions to encourage discussion: What are the plaintiff's and defendant's arguments?
 - 6.5.2.2 Facilitation techniques: Debate in pairs and then in groups
 - 6.5.2.3 Role dynamics: Students assume defense attorney roles; fiscal; and dispenser of justice.
- 6.5.3 Critical Analysis (20 minutes):
 - 6.5.3.1 Formulation of arguments by students: Presentation of arguments by role with substantive and adjective exposition.
 - 6.5.3.2 Evaluation of different approaches and solutions: Open discussion
- 6.5.4 Case Resolution (15 minutes):
 - 6.5.4.1 Discussion of possible solutions: What decision would the court make and why?
 - 6.5.4.2 Conclusion of the case and summary by the teacher: Summary of key points.

6.6 Tools and Resources

- 6.6.1 Technology:
 - 6.6.1.1 Presentations: PowerPoint with case facts and key questions
 - 6.6.1.2 Online discussion platforms: Moodle discussion forum
- 6.6.2 Support materials:
 - 6.6.2.1 Diagrams: Outline of rights and limitations
 - 6.6.2.2 Diagrams: Conceptual map of the case
 - 6.6.2.3 Other resources: Academic articles on the topic

6.7 Evaluation and Feedback

- 6.7.1 Formative Evaluation Methods:
 - 6.7.1.1 Quick Quizzes: Questions at the end of class
 - 6.7.1.2 Short debates: Oral summaries of arguments
- 6.7.2 Feedback:
 - 6.7.2.1 Immediate during class: Comments on presentations

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

6.7.2.2 Subsequent tasks or projects: Short essay on the case

6.8 Reflection and Synthesis

6.8.1 Learned lessons:

6.8.1.1 Main learning's from the case: Foundations and limits of freedom of expression

6.8.1.2 Connection to legal theory: Application of relevant jurisprudence

6.8.2 Post-Case Reflection:

6.8.2.1 Reflection questionnaire for students: What did you learn from the case?

6.8.2.2 Follow-up tasks: Investigation of a similar case

6.9 Adaptability and Flexibility

6.9.1 Contingency plans:

6.9.1.1 Adjustments for low participation: Use of smaller groups or guided discussion.

6.9.1.2 Alternatives if the case is too complex: Provide additional summaries or simplify the case.

6.10 Feedback and Continuous Improvement

6.10.1 Student Feedback Collection:

6.10.1.1 Method: Online surveys

6.10.1.2 Key questions for feedback: What parts of the class were most useful? What could be improved?

6.10.2 Teacher Self-Evaluation:

6.10.2.1 Aspects that worked well: Role dynamics

6.10.2.2 Areas for improvement: Clarity in the presentation of the facts of the case

6.10.3 Professional development:

6.10.3.1 Training and training opportunities: Seminars on active methodologies in teaching law

This format provides a clear and detailed structure for planning and executing a class using the case method in law, ensuring that all the essential elements for effective and enriching teaching are covered.

Activity 3: Lesson plan

Instructions: Prepare class plans corresponding to the cases that will be analyzed during the semester course of the subject you teach. In this regard, it is suggested to consider 3 cases for class review, one for partial and 2 cases for partial for students to solve as a team.

1) General information

- Teacher's name:
- Course:
- Class Topic:
- Date:
- Duration:

2) Expected learning

- Learning 1:
- Learning 2:
- Learning 3:

3) Case Selection

- Case title:
- Brief Description of the Case:
- Reason for Case Selection:
 - Student semester in the degree
 - Previous subjects.

4) Prior Preparation of Students

- Assigned Readings:
 - Text 1:
 - Text 2:
- Study guide:
 - Key points to analyze:
 - Preparatory questions:

5) Class Structure

- Case Introduction (5 minutes)
 - Brief presentation of the case:
 - Context and relevant facts:

- Guided Discussion (45 minutes)
 - Initial questions to encourage discussion:
 - Facilitation techniques:
 - Role dynamics:
- Critical Analysis: (20 minutes)
 - Formulation of arguments by students:
 - Evaluation of different approaches and solutions:
- Case Resolution (25 minutes):
 - Discussion of possible solutions: What decision would the court make and why?
 - Conclusion of the case and summary by the teacher: Summary of key points
- 6) Tools and Resources**
 - Technology:
 - Presentations:
 - Online discussion platforms:
 - Support materials:
 - Diagrams:
 - Schemes:
 - Other resources or academic articles on the topic:
- 7) Evaluation and Feedback**
 - Formative Evaluation Methods:
 - Quick Quizzes:
 - Short discussions:
 - Feedback:
 - Immediate during class:
 - Subsequent tasks or projects:
- 8) Reflection and Synthesis**
 - Learned lessons:
 - Main learnings from the case:
 - Connection with legal theory:
 - Post-Case Reflection:
 - Reflection questionnaire for students:
 - Follow-up tasks:
- 9) Adaptability and Flexibility**
 - Contingency plans:
 - Adjustments in case of low participation:
 - Alternatives if the case is too complex:
- 10) Feedback and Continuous Improvement**
 - Student Feedback Collection:
 - Method:
 - Key questions for feedback:
 - Teacher Self-Evaluation:
 - Aspects that worked well:
 - Areas to improve:
 - Professional development:
 - Training and training opportunities: Seminars on active methodologies in teaching law

7 Analysis of a Criminal Law case

Step 1: Enumeration of the relevant facts in the problem

- Place. San Pedro Tlaquepaque, Jalisco

- Events: A citizen circulates through the peripheral and in her daily life she randomly experiences the process of applying the breathalyzer test in application to the “saving lives” operation.

The Road Agent asked him to blow into the device three times without this yielding any results, so the victim asked him which regulation states that he has to blow several times. The public servant responded to look for it herself, and the driver refused to blow, for which she was arrested for 36 hours. After the incident, the victim filed a complaint with the corresponding authorities.

- People involved. Citizen (victim), public servant, prosecutor, administrator of justice

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

Step 2: Identify the constituent elements of the crime

- Conduct
- Typicality
- Illegality:
- Imputability
- Culpability
- Punishability

Step 3: Identify precisely the criminal figure(s) present in the problem:

Is the road agent subject to criminal or administrative liability?

- Traffic crimes
- Crime of abuse of authority
- Crimes due to acts of corruption

Step 4: Determine the criminal responsibility of the agent or active subject:

- Serious or non-serious crime
- Culpable or intentional crime
- What legal provisions are applicable?

Step 5: Raise the legal situations, if any, of a nature other than criminal, present in the problem and resulting from the crime.

- Internal administrative procedures to determine the irregular actions of public servants and their sanctions.

Step 6: Indicate the evidentiary aspects that arise as a result of the possible commission of a punishable act.

- Documentary film
- Testimonial
- Expert
- Confessional
- Others.

Step 7: Structure the answer to the problem:

- Argumentation of each of the parties
- Culpability
- Damage repair
- Conditional suspension in criminal proceedings

8 Elements to evaluate the teacher's performance when using the case method in law

Evaluating the performance of a professor who uses the case method in law requires considering various elements that reflect the effectiveness of his teaching and the impact on student learning. Here are the main aspects to take into account:

8.1 *Preparation and selection of the case*

8.1.1 Case Relevance: Choose relevant, well-selected cases that align with course objectives and student interests.

8.1.2 Support materials: Provide additional readings, guides and resources that facilitate the understanding and analysis of the case.

8.2 *Content Mastery*

8.2.1 Knowledge of the case: Demonstrate in-depth knowledge of the case and its legal context.

8.2.2 Update: Stay up to date with the legislation, jurisprudence and doctrines relevant to the case.

8.3 *Facilitation skills*

8.3.1 Discussion Encouragement: Ability to foster active and participatory discussion, encouraging all students to contribute.

8.3.2 Open questions: Use open and challenging questions that promote critical thinking and deep analysis.

8.3.3 Classroom Management: Manage classroom dynamics effectively, ensuring that discussion is balanced and that all points of view are considered.

8.4 *Teaching methods*

8.4.1 Variety of approaches: Employ a variety of methods and techniques to analyze the case, including discussions, group work, and simulations.

8.4.2 Clarity in explanation: Provide clear and concise explanations of legal concepts and their application to the case.

8.4.3 Theoretical-practical connection: Make clear connections between legal theory and its practical application through the case.

8.5 *Interaction with students*

8.5.1 Accessibility: Be available for consultation and provide constructive feedback.

8.5.2 Respect and empathy: Treat students with respect and empathy, creating an inclusive and motivating environment.

8.5.3 Promotion of critical thinking: Encourage students to question, analyze and reflect on the different dimensions of the case.

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

8.6 Learning Assessment

8.6.1 Formative Assessments: Implement formative assessments during class to measure student progress and adjust instruction as needed.

8.6.2 Timely feedback: Provide timely and constructive feedback on student participation and work.

8.6.3 Transparency in evaluation: Have clear and transparent criteria to evaluate the performance of students in the analysis and discussion of the case.

8.7 Impact on learning

8.7.1 Skills development: Assess whether students are developing key skills such as critical thinking, argumentation, and the practical application of legal knowledge.

8.7.2 Achievement of learning objectives: Measure the extent to which students have achieved the learning objectives established for the case session.

8.7.3 Participation and commitment: Observe the level of participation and commitment of the students during the case sessions.

8.8 Reflection and continuous improvement

8.8.1 Self-assessment: Encourage teacher self-assessment of their performance and areas for improvement.

8.8.2 Student feedback: Collect and consider student feedback on the effectiveness of the methodology and the teacher's performance.

8.8.3 Professional Development: Participate in professional development opportunities to improve proficiency in case method teaching.

These elements provide a comprehensive framework for evaluating a professor's performance in using the case method in law, ensuring that high-quality teaching and meaningful learning for students is promoted.

Questionnaire 4: Element to evaluate the teacher's performance in the Case Method

Instructions: Read each question carefully and select the answer that best represents your understanding of the topic.

1. Which of the following aspects is NOT relevant to evaluate the preparation and selection of the case by the professor?

- a) Relevance of the case to the course objectives and student interests.
- b) Amount of support materials provided to students.
- c) Update of the case with relevant legislation, jurisprudence and doctrines.

2. What teacher skill is essential to foster an active and participatory discussion during the case analysis?

- a) In-depth knowledge of the case and its legal context.
- b) Ability to use open and challenging questions.
- c) Effective management of classroom dynamics to ensure balanced discussion.

3. Which teaching method is NOT appropriate to use in the analysis of a legal case?

- a) Debate among students.
- b) Master presentation by the professor.
- c) Simulation of an oral trial.

4. Which of the following aspects is NOT considered important in the teacher's interaction with students during the use of the case method?

- a) Be available for consultation and provide constructive feedback.
- b) Treat students with respect and empathy, creating an inclusive environment.
- c) Evaluate students' performance in the analysis and discussion of the case.

5. Which assessment tool allows the teacher to measure student progress during class and adjust instruction as necessary?

- a) Teacher self-assessment of his own performance.
- b) Student feedback on the effectiveness of the methodology.
- c) Formative evaluations during the case session.

6. What is the main indicator to evaluate the impact of the case method on student learning?

- a) Development of key skills such as critical thinking and legal argumentation.
- b) Level of participation and commitment of students during case sessions.
- c) Achievement of the learning objectives established for the case session.

7. What action demonstrates the teacher's commitment to continuous improvement in the use of the case method?

- a) Self-evaluate your own performance and identify areas for improvement.
- b) Collect and consider student feedback on the methodology.

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

c) Participate in professional development opportunities to improve your competency in teaching with the case method.

Answers:

- (1) c) Update of the case with relevant legislation, jurisprudence and doctrines.
- (2) b) Ability to use open and challenging questions.
- (3) b) Master presentation by the teacher.
- (4) c) Evaluate the students' performance in the analysis and discussion of the case.
- (5) c) Formative evaluations during the case session.
- (6) a) Development of key skills such as critical thinking and legal argumentation.
- (7) c) Participate in professional development opportunities to improve your competence in teaching with the case method

9 Instrument to evaluate the teacher's performance when using the case method:

The proposed scale can be used by the academic department director, students, colleague or external evaluators to provide a detailed and constructive evaluation of the professor's performance in teaching with the case method in law.

The scale measures eight evaluation categories: Case preparation and selection, content mastery, skills as a facilitator, teaching method, interaction with students, evaluation of learning, impact of learning, and reflection and continuous improvement. To evaluate the level of performance, a scale is used in which 1 = poor, 2 = average, 3 = good, 4 = very good and 5 = excellent.

9.1 Case Preparation and Selection

Criterion	Excellent (5)	Very Good (4)	Good (3)	Regular (2)	Poor (1)
Relevance of the case	Highly relevant case and aligned with the course objectives	Relevant case and generally aligned with course objectives	Relevant case, but with some areas not aligned with the course objectives	Partially relevant case, with several aspects not aligned with the course objectives	Case irrelevant or inappropriate for the course objectives
Support materials	Complete provision of clear and useful supporting materials	Adequate provision of useful support materials	Support materials provided, but with some shortcomings	Insufficient or unclear supporting materials	Lack of support materials or inadequate materials

9.2 Content Mastery

Criterion	Excellent (5)	Very Good (4)	Good (3)	Regular (2)	Poor (1)
Knowledge of the Case	Demonstrates deep and detailed knowledge of the case	Demonstrates solid knowledge of the case	Demonstrates adequate knowledge of the case	Superficial or incomplete knowledge of the case	Lack of adequate knowledge of the case
Update	Always up to date with relevant legislation and jurisprudence	Generally up to date with relevant legislation and case law	Adequately updated, although with some gaps	Few updates with legislation and jurisprudence	It is not up to date with legislation and jurisprudence

9.3 Facilitation Skills

Criterion	Excellent (5)	Very Good (4)	Good (3)	Regular (2)	Poor (1)
Encouraging discussion	Exceptionally encourages participation and balance	Encourage participation well	Appropriately encourages participation, although not	Encourage limited participation	Does not encourage participation

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

			always balanced		
Open questions	Use open questions that promote deep and critical analysis	Use open questions that encourage analysis	Use appropriate open questions but not always effective	Limited use of open questions	Does not use effective open questions

9.4 Teaching Methods

Criterion	Excellent (5)	Very Good (4)	Good (3)	Regular (2)	Poor (1)
Variety of approaches	Employ a variety of innovative and effective methods	Use a good variety of methods	Uses varied methods, but inconsistently	Use limited methods	It is based on a single teaching method
Clarity in explanation	Clear and concise explanations that facilitate understanding	Generally clear and concise explanations	Adequate explanations, but sometimes confusing	Frequently confusing explanations	Confusing and incomplete explanations
Theoretical-Practical connection	Excellently connects theory and practice	Connects theory and practice well	Properly connects theory and practice	Connects theory and practice in a limited way	Does not connect theory and practice adequately

9.5 Interaction with Students

Criterion	Excellent (5)	Very Good (4)	Good (3)	Regular (2)	Poor (1)
Accessibility	Always accessible and available for questions	Generally accessible and available for consultation	Accessible and available, but with limitations	Accessible on a limited basis	Not accessible or available
Respect and Empathy	Exceptionally respectful and empathetic treatment	Respectful and empathetic treatment	Adequate treatment, but not always empathetic	Frequently distant or disrespectful treatment	Disrespectful or non-empathetic treatment
Promotion of Critical Thinking	Exceptionally encourages critical thinking	Encourages critical thinking well	Adequately encourages critical thinking	Promotes limited critical thinking	Does not encourage critical thinking

9.6 Learning Assessment

Criterion	Excellent (5)	Very Good (4)	Good (3)	Regular (2)	Poor (1)
Formative Assessments	Implement frequent and useful formative assessments	Implement appropriate formative assessments	Perform formative assessments, but inconsistently	Conduct limited formative assessments	Does not carry out formative evaluations
Feedback	Provides constructive and timely feedback	Provides appropriate and generally	Provides feedback, but not always timely	Provides limited or delayed feedback	Does not provide useful feedback

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

		timely feedback			
Transparency in Evaluation	Clear and transparent evaluation criteria	Generally clear evaluation criteria	Appropriate but sometimes confusing evaluation criteria	Unclear evaluation criteria	Lack of clear evaluation criteria

9.7 Impact on Learning

Criterion	Excellent (5)	Very Good (4)	Good (3)	Regular (2)	Poor (1)
Skill development	Students develop key skills excellently	Students develop key skills adequately	Students develop key skills but with some limitations	Development Limited development of key skills	Development of key skills is not observed
Achievement of Learning Objectives	Learning objectives achieved outstandingly	Learning objectives generally achieved	Learning objectives achieved but with limitations	Learning objectives partially achieved	Learning objectives not achieved
Participation and Commitment	High student participation and commitment	Good participation and commitment	Appropriate participation and commitment	Limited participation and commitment	Low participation and commitment

9.8 Reflection and Continuous Improvement

Criterion	Excellent (5)	Very Good (4)	Good (3)	Regular (2)	Poor (1)
Self appraisal	Constantly reflect on your performance and improve	Reflect appropriately on your performance	Reflects on his performance, but inconsistently	Reflects in a limited way on his performance	Does not reflect on his performance
Feedback to Students	Collect and consider student feedback on an ongoing basis	Collect and appropriately consider feedback	Collects feedback but does not always consider it	Collect limited feedback	Does not collect or consider student feedback
Professional development	Actively participate in professional development	Appropriately participates in professional development	Participate in professional development, but on a limited basis	Occasionally participates in professional development	Does not participate in professional development

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Appendix 1

Law case capture format.

<p>General Case Information</p> <ol style="list-style-type: none">1. Case Title: Enter a concise, descriptive title for the case.2. Area of Law: Specify the relevant area of law (e.g., criminal law, civil law, constitutional law, etc.).3. Student Level: Indicate if the case is intended for first-year students, second-year students, etc. <p>Case Description</p> <ol style="list-style-type: none">4. Facts of the Case: Provide a detailed description of the relevant facts of the case.5. Legal Issues: List the legal issues that arise in the case.6. Attached Documents: Attach any relevant documents, such as court decisions, applicable laws, contracts, etc. <p>Case Analysis</p> <ol style="list-style-type: none">7. Learning Objectives: Indicate the specific learning objectives that are intended to be achieved with this case.8. Analysis Questions: Provide a series of questions to guide students' analysis of the case.9. Applicable Law and Precedents: List the applicable laws and judicial precedents that should be considered when analyzing the case.
<p>Case example for the training of Law Graduates</p> <p>General Case Information</p> <ol style="list-style-type: none">1. Case Title: Medical Malpractice Civil Liability Claim Against Dr. Lopez2. Area of Law: Civil Law - Civil Liability3. Student Level: Second Year Students <p>Case Description</p> <ol style="list-style-type: none">4. Facts of the Case:<ul style="list-style-type: none">- María González, 45, was admitted to the Central Hospital for emergency appendicitis surgery. Dr. Juan López, a surgeon with 20 years of experience, performed the operation. During surgery, Dr. Lopez made a mistake by cutting a major artery, which resulted in severe bleeding. Although immediate measures were taken to control the bleeding, Maria suffered serious post-operative complications, including an infection that prolonged her hospital stay and recovery process. María has decided to sue Dr. López and the Central Hospital for medical negligence, arguing that Dr. López's mistake was the direct cause of her complications and suffering.5. Legal Problems:<ul style="list-style-type: none">- Is there civil liability of Dr. López for medical negligence?

- What type of civil liability can be proven?
 - Can the Central Hospital be considered directly or indirectly responsible for the actions of Dr. López?
 - What are the evidentiary elements that prove medical negligence in your case?
 - What defenses could Dr. López present to mitigate his liability?
6. Attached Documents: This information must be suggested by the teacher, depending on the case.
- Medical history of María González.
 - Surgical report of Dr. López.
 - Internal regulations of the Central Hospital on surgical procedures.
 - Relevant case law on medical negligence in the jurisdiction.
 - Articles of the Civil Code applicable to civil liability.

Case Analysis

7. Learning objectives:

- Diagnose a legal problem to implement solution strategies.
- Understand the elements of civil liability for medical negligence.
- Analyze the application of legal rules to specific facts.
- Develop legal argumentation skills from the perspective of the plaintiff and defendant in litigation, including the administration of justice.
- Evaluate the direct or indirect liability of medical institutions for actions of their employees.

8. Analysis Questions:

- What are the elements that determine possible medical negligence and how do they apply in this case?
- What evidence must María present to show that Dr. López was negligent?
- What possible defenses can Dr. López argue to exonerate himself or mitigate his liability?
- Under what circumstances can the Central Hospital be considered directly or indirectly responsible?
- How would the hospital's internal regulations affect the responsibility of the parties involved?

9. Applicable Law and Precedents:

- Civil Code: Articles on civil liability and negligence.
- Jurisprudence: Precedent cases on medical negligence and liability of medical institutions.
 - Case of Pérez vs. Regional Hospital: Definition of standards of care in medical practice.
 - Ramírez Case vs. San Juan Clinic: Responsibility of medical institutions.

Case Development in the classroom

Case Introduction (10 minutes)

- Brief presentation of the facts and context of the case to students.

Guided Discussion (40 minutes)

- Small groups: Divide students into groups, assigning them different roles (plaintiff's attorney, defendant's attorney, judge).
- Guided Discussion: Encourage discussion about the elements of medical malpractice and hospital liability.

Critical Analysis (20 minutes)

- Presentation of arguments: Each group presents its arguments and defenses based on the analysis questions.
- Joint evaluation: Open discussion of the groups' presentations, highlighting the strengths and weaknesses of each argument.

Case Resolution (15 minutes)

- Final Decision: Students act as judges and deliberate to reach a final decision on the case.
- Summary: The teacher summarizes key points and highlights lessons learned.

Appendix 2

Guidelines for effective feedback to students about their academic work

Effective feedback is crucial to student learning as it provides them with valuable information about their performance and guides them in their academic development. Below are the key elements and characteristics of effective feedback:

Elements of Effective Feedback

- Clarity: Feedback should be understandable, avoiding ambiguities and technical terms that the student may not understand.
- Specificity: Instead of general comments, feedback should be specific and focus on particular aspects of the student's work.
- Formative: Feedback should focus on how the student can improve, offering practical and achievable suggestions.
- Timeliness: To be effective, feedback must be provided in a timely manner, that is, soon enough so that the student can apply the recommendations in their next work.
- Balance: It is important to balance positive and negative comments. Recognize student achievements while pointing out areas for improvement.
- Personalized: Feedback should be learner-centered, taking into account the individual needs and circumstances of each student.
- Interactive: Encourage a dialogue where the student can ask questions and discuss the feedback received.

Characteristics of Effective Feedback

- Learning Oriented: Feedback should focus on the learning process rather than the final result, promoting an awareness of growth.
- Descriptive and Non-Evaluative: Instead of judging the student's work, feedback should describe what is observed and how it can be improved.
- Formative and Summative: Ideally, feedback should include formative (to improve ongoing learning) and summative (evaluate learning at the end of a period) elements.
- Action-oriented: It should provide concrete steps that the student can take to improve their performance.
- Ongoing: Feedback should be a continuous process throughout the course, not just at the end of an assignment or exam.
- Engaged: Involve the student in the feedback process, encouraging them to self-evaluate and reflect on their own learning.

To provide feedback to students, it is advisable to do so based on a frame of reference that gives meaning and structure to the process. Three references and an example of how to use them are described below.

The AID Feedback Model focuses on three aspects: Action, Impact and Development):

- Action: Describe the student's specific action.
- Impact: Explain the impact of that action.
- Development: Suggest how it can improve or continue to develop.

The Pendleton Feedback Model includes a structured approach to feedback that is based on the following steps:

- (1) What they did well (Student): Ask the student what they think they did well.
- (2) What could be improved (Student): Ask the student what they think could have been improved.
- (3) What he did well (Teacher): The feedbacker says what he thinks went well.
- (4) What could be improved (Teacher): The feedbacker says what he or she thinks could be improved.

The SBI Model considers the Situation, Behavior and Impact:

- Situation: Describe the specific situation in which the behavior occurred.
- Behavior: Detail the student's observed behavior.
- Impact: Explain the impact of that behavior on learning or other aspects.

Example for using the Pendleton Feedback Model:

This model encourages structured and balanced feedback, promoting student participation in the process. Next, we will develop a preliminary scheme using this model to provide effective feedback to students on their academic work.

Feedback planning:

1. Feedback Preparation:

- Work Review: Carefully analyze the student's work, identifying strengths and areas for improvement.

- Context and Objectives: Define the context of the feedback and the specific objectives that you want to achieve with it.

2. Feedback Implementation

- Establishing a Positive Environment: Create a safe and constructive environment for discussion.

Step 1: What went well (Student)

- Initial Question: "What do you think you did well in this job?"

- Student Reflection: Allow the student to identify and verbalize the positive aspects of their own work.

- Recognition: Affirm the positive points mentioned by the student, demonstrating that their self-perceptions are valued.

Step 2: What could be improved (Student)

- Improvement Question: "What do you think you could improve in your job?"

- Critical Reflection: Facilitate the student to identify areas of improvement, promoting self-evaluation.

- Support: Listen carefully and provide support so that the student feels comfortable sharing their opinions.

Step 3: What went well (Feedback)

- Positive Observations: "I agree with what you said about [positive aspect]. Also, I think [another positive aspect] was particularly good because..."

- Specific Details: Offer concrete examples of what the student did well, reinforcing their strengths.

Step 4: What could be improved (Feedback)

- Constructive Feedback: "To improve your work, you might consider [specific suggestion]. For example, you might..."

- Explanation of Impact: Explain why the suggestions for improvement are important and how they can benefit the student.

- Actionable Suggestions: Provide clear and achievable recommendations that the student can implement in future work.

3. Conclusion of the Feedback

- Summarize the key points discussed during the feedback session.

- Action Plan: Collaborate with the student to establish a concrete action plan based on the feedback received.

- Follow-up: Schedule a subsequent review to evaluate progress and continue the improvement process.

Feedback Example

Evaluated Work: Essay on the Constitution of the Mexican State

Step 1: What you did well (Student)

- Student: "I think I did a good job explaining the social, economic and political causes that the constituent considered for the approval of the Constitution that currently governs Mexico."

- Professor: "Yes, your explanation of the social, economic and political causes was clear and well-founded, it seems you captured the spirit that guided the decision of the deputies and senators"

Step 2: What could be improved (Student)

- Student: "I think I could have provided more specific examples of the social problems facing the country's development and the need for a state vision."

- Professor: "That is a good observation. Include the main social problems that faced and persist in the country to promote development and coexistence among Mexicans."

Step 3: What went well (Teacher)

- Professor: "In addition to your explanation about the economic causes, I really liked how you structured your introduction, it was very effective in capturing the reader's attention and focusing the core of your analysis on the Constitution of the Mexican state"

Step 4: What could be improved (Teacher)

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

- Professor: "To improve your work, I would suggest developing your arguments further in the section on the social effects that the Magna Carta has on the freedoms and rights it protects. For example, you could include more data and contemporary testimonies that reinforce your points, based on international law."

3. Conclusion and Action Plan

- To conclude: "In summary, you did an excellent job with the social, economic and political causes that justify our Constitution. To improve, include principles and foundations of international law in your analysis."

- Action Plan: "For your next essay, you could focus on researching specific examples and data about the social, economic, and political effects that a Constitution has on the development of a country. We will schedule a review in two weeks to see your progress".

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Annex 3

Student rubric for teacher evaluation in teaching law with the case method

Teacher's name: _____

Course: _____

Date: _____

1. Expected learning

Criterion	Excellent (4)	Good (3)	Acceptable (2)	Insufficient (1)
Clear definition of objectives	Specific, measurable objectives clearly established and communicated to students	Mostly clear and specific objectives, although some aspects could improve in precision.	Objectives present but vague or general, lack of specificity.	Unclear or absent objectives.
Goal relevance	Objectives fully aligned with the course curriculum and desired learning outcomes.	Objectives generally aligned, with some areas for improvement.	Some objectives aligned, but others not clearly related to the curriculum.	Objectives not aligned or irrelevant to the course.

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

2. Case selection				
Criterion	Excellent (4)	Good (3)	Acceptable (2)	Insufficient (1)
Relevance	Case totally relevant and appropriate for the topic taught	Relevant case with some minor areas of improvement	Case somewhat relevant but not completely appropriate	Irrelevant or inappropriate case.
Difficulty level	Complexity of the case perfectly adapted to the level of the students.	Generally adequate level of difficulty, with some areas of adjustment.	Level of difficulty not always well adjusted to the knowledge and skills of the students.	Inadequate level of difficulty for students.
Current events and context	Recent and contextually significant cases that capture student interest.	Recent and relevant cases, although they could be more significant.	Cases that are somewhat outdated or of limited interest.	Outdated cases without contextual relevance.
3. Student prior preparation				
Criterion	Excellent (4)	Good (3)	Acceptable (2)	Insufficient (1)
Assigned readings	Completely relevant and appropriate reading materials provided on time.	Relevant materials provided, although with some minor areas of improvement.	Materials provided but not always relevant or appropriate.	Irrelevant or not provided materials.
Study guide	Clear and detailed instructions on the analysis of the case.	Clear instructions, with some areas for greater detail.	Instructions present but not always clear or detailed.	Missing or confusing instructions.
Preparatory questions.	Key questions well formulated and useful to guide the analysis of the case.	Useful preparatory questions, although they could be improved in formulation.	Questions present but not always useful or well formulated.	Absent or unhelpful questions.
4. Class structure				
Criterion	Excellent (4)	Good (3)	Acceptable (2)	Insufficient (1)
Case introduction	Case presented clearly, with all relevant facts and context.	Well presented case, with some minor areas of improvement.	Adequate but not always complete or clear presentation of the case.	Confusing or incomplete presentation of the case.
Guided discussion	Well-planned questions and activities that promote effective debate and participation.	Generally effective questions and activities, with some areas for improvement.	Questions and activities present, but not always effective.	Lack of effective questions or activities for discussion.
Roles and dynamics	Effective use of roles and dynamics to enrich the discussion.	Roles and dynamics used effectively, with	Roles and dynamics present, but not always effective.	Lack of effective roles or dynamics.

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

		minor areas for improvement.		
5. Teaching methodology				
Criterion	Excellent (4)	Good (3)	Acceptable (2)	Insufficient (1)
Facilitation	Teacher effectively acts as a facilitator, guiding discussion and encouraging critical thinking.	Teacher acts as a facilitator effectively, although with some areas for improvement.	Teacher sometimes acts more as a transmitter of knowledge than as a facilitator.	Teacher does not act as a facilitator, limiting discussion and critical thinking.
Interaction	High interaction between students, with emphasis on teamwork and collaboration.	Good interaction, although with areas to encourage more collaboration.	Interaction present but limited.	Minimal or no interaction.
Continuous assessment	Frequently asked and effective questions to assess understanding and adjust dynamics.	Continuous evaluation present, although it could be more frequent or effective.	Occasional and not always effective continuous evaluation.	Lack of continuous evaluation during class.
6. Tools and resources				
Criterion	Excellent (4)	Good (3)	Acceptable (2)	Insufficient (1)
Technology	Effective use of technological tools to support teaching.	Use of technology present and generally effective.	Use of technology limited or not always effective.	Lack of use of technological tools.
Support materials	Provision of diagrams, schemes and support materials that facilitate the analysis of the case.	Support materials present and generally useful.	Limited or not always useful support materials.	Lack of support materials.
7. Evaluation and feedback				
Criterion	Excellent (4)	Good (3)	Acceptable (2)	Insufficient (1)
Formative evaluation	Well-implemented formative assessment activities during class.	Formative assessment present and generally effective.	Occasional and not always effective formative evaluation.	Lack of formative evaluation.
Constructive feedback	Immediate and constructive feedback on student contributions.	Feedback present and generally constructive.	Occasional or not always constructive feedback.	Lack of feedback or non-constructive feedback.
Afterthought	Provision of opportunities for further reflection and consolidation of learning.	Subsequent reflection present and generally effective.	Occasional and not always effective subsequent reflection.	Lack of subsequent reflection.
8. Adaptability and flexibility				
Criterion	Excellent (4)	Good (3)	Acceptable (2)	Insufficient (1)

The Case Method in the Training of Law Graduates: Towards Evidence-Based Teaching

Flexibility	Teacher adjusts the class effectively according to the needs and responses of the students.	Generally flexible teacher, although with some areas for improvement.	Occasional and not always effective flexibility.	Lack of flexibility.
Student feedback	Solicit and effectively consider student feedback to improve future sessions.	Student feedback requested and generally considered.	Student feedback occasionally requested and not always considered.	Failure to request feedback or lack of consideration of feedback.
Total score	_____ / 64			
General comments.				



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