dealt with. The interactive CD-ROMs are the guideline to the course.

In the second part students collaborate on a client file on the Web; they comment on and assess each other's written pleadings; and practise advocacy. Both students and teachers provide feedback on the basis of the criteria listed on the CD-ROM. The third and final part of the course consists of a moot court seminar organised by the participating institutions, where theory is put into practice and student performance is assessed.

Most electronic programs consist of either a compilation of knowledge or databases, or are aimed at teaching or testing knowledge. The innovative element of this electronic learning program is that it is aimed at acquiring a specific skill. It is often thought that skills can only be acquired by practising. However, this is only true in part. What is overlooked is the fact that practising a skill is preceded by instruction and getting to know the basics of the skill. As in writing a graduate thesis, it is important that the student knows in advance what is expected of him. In other words: learning always precedes practising. Learning does not always need to take the form of 'learning by doing'; it can be partly achieved by examining good and bad examples of advocacy. This is called 'learning by modelling'.

The process from getting to know a client's file to arguing a case before the court is a complex one. Therefore, the skills of advocacy are broken down into a number of steps the student needs to take in order to attain his ultimate goal. Some steps concern the preparation of the content of the oral arguments; others concern advocacy skills *per se*. As far as content is concerned, five steps are distinguished: from case-file to strategy; from strategy to written arguments; from written arguments to oral arguments; conducting advocacy; and reflecting on advocacy.

The skill of advocacy also consists of steps, which in turn are subdivided into sub-skills steps. All sub-skills have their own study tasks and assignments. Each sub-skill mastered by the student forms the basis for the next step.

All the universities use the first part, the interactive CD-ROM in the same way. This part is not dependent on teaching mode, since the student independently — without supervision, except for supervision within the computer program — runs through the CD-ROM . In the next part the students practise. Each institution or user may design this part, as it deems fit. At the Maastricht University Faculty of Law most of the teaching is conducted in the form of face-to-face learning. As a result of this, the second part, the practical part, will take place in the form of tutorial groups, in which the students collaborate on a client-file and practise advocacy. As the Open University of the Netherlands is an institute for distance learning, students participating in the second part will be in contact mainly via the Internet.

Experience has taught us that the CD-ROM program enhanced student motivation to do the second part of the course. Not a single one quit. One of the major reasons for developing the course was to reduce teachers' workload. This is why Part 1 of the course was designed to be fully self-instructing, which indeed it was. The number of instruction hours needed for successful completion of Part 2 turned out to be less than expected. Initially, two preparatory oral sessions had been scheduled. It was found that these could be reduced to a single meeting, because students proved to be fully capable of providing feedback on each other's performance, that is, the written and oral arguments. A good example of the self-instructing capacity of the program is the fact that, in the second session, students were able to competently take over the role of the teacher.

The multimedia course 'Advocacy' is an example of skills training with the aid of ICT, which is especially suitable for the acquisition of skills and attitudes. Both ICT and skills training will gain an increasingly prominent role in law courses. The fact that the 'Advocacy' course is self-instructing to a large extent reduces the deployment of teachers, which makes its implementation attractive.

Community building as a means of teaching creative, cooperative, and complex problem solving in clinical legal education
A Seielstad
8 *Clinical L Rev*, 2002, pp 445–521

Modern problem solving theory stresses the need for lawyers to look beyond clients' legal rights and interests, and consider methods and solutions beyond those offered by the formal mechanisms of the law. This article considers how education in creative problem solving can be enhanced in the clinical context through work with poor communities engaged in community building. It describes how the clinic at the University of Dayton Law School became involved in helping community groups in Dayton and at the same time developed a method of clinical teaching that emphasises broad-based problem solving in addition to traditional, more technical legal skills.

Rather than offer traditional legal services, such as drafting formal documents for not-for-profit corporations or litigating on behalf of formal groups or individuals, the clinic entered into a dialogue with its community partners to provide information about the law and other options and to find ways for the community members to set their own goals and choose their own methods. The result was a fruitful and invigorating relationship that resulted in palpable and significant improvements in the neighbourhood, and brought law students into working professional

contact with people who were quite different from them in race, formal education, age, and income, and yet were able to make effective use of the various services offered by the clinic.

This article describes a model for teaching legal problem-solving skills in the context of a clinical program that combines individual client representation with group representation and community lawyering. While it emphasises the way in which problem solving may be taught within the context of innovative work with grass roots communities organised around particular shared objectives of community building, it also demonstrates how the learning process may be enhanced more generally by combining individual case representation with work for communities.

Problem solving may involve both technical and creative processes. With respect to its technical nature, it ordinarily refers to a process of identifying an issue or problem that is discordant with a view of how things should or could be and moving toward a solution that is more in keeping with the desired end or condition. Problem solving, however, may also involve a more creative, humanistic process. For the purposes of this article, problem solving refers to this more complex, multi-faceted and ambiguously structured manifestation of problem solving, a process that requires technical expertise, creative artistry and empathy.

Community lawyering shifts the lawyer's view of nonlegal influences from an individualistic view of the client and her concerns to a view of the client as part of a larger community. In community lawyering, community and culture are always relevant to the lawyering.

Broadly speaking, 'community lawyering' refers to the activities and actions of lawyers working in and for communities. Their roles as lawyers may vary from political activist to more

traditional forms of legal advocacy, including lawyer-as-counsellor, adviser and/or trial attorney or litigator. Roles may also include lawyer-as-mediator, facilitator, problem-solver, collaborator or statesman. Community lawyering may even include lawyers who incorporate into their representation of individuals an awareness of the community context in which the individual's problem is situated and who engage the client in thinking about the impact of various choices he or she might make on the community or its members.

Training sound community lawyers is also the goal of many clinical programs. As the widening gulf emerges between rich and poor in American society and access to legal services becomes further removed from subordinated communities, the importance of clinical legal education's historic commitment to social justice becomes manifest. The need for law schools to share their considerable resources in the struggle for justice and human dignity has scarcely been greater.

While many schools have transformed their programs into ones emphasising the teaching of technical and traditional lawyering skills more so than in consciously advancing social justice, the legacy of the history of clinical legal education as well as the requirement in many states that clinics limit their legal work to the representation of indigent clients legitimise the incorporation of community lawyering and/or social justice objectives into the design of most clinical programs.

The project took place within a live client course in which students predominantly represent individual clients in cases pending before the local courts. However, they are required to participate in at least one project that approaches lawyering from another perspective, such as providing com-

munity education, engaging in collaborative problem-solving with a community group, or examining an issue or problem that arises in the context of their representation of individual clients. The concept of community is a central theme of the clinical experience.

Inside the law clinic, we reviewed drafts of documents and prepared for meetings just as we would prepare for a hearing or trial. The group elected not to pursue litigation as a first strategy. They were concerned about the cost and time factor of starting a complex lawsuit. They began to favour activities that would empower, engage and educate the community while addressing the underlying causes of the problem.

Aside from the benefits to the community, students and faculty from the law clinic derived a number of educational benefits from the collaboration. While students and faculty learned some lessons they might have gained from representation of individual clients in traditional forms of litigation, many of the lessons were unique to community collaboration.

Developing effective learning strategies for the teaching of problem solving is one of the greatest challenges for clinical programs interested in incorporating the use of community building and other community-based collaborations into a curriculum. The process of integrating students into community building initiatives in such a way as to allow students to be effective participants and enhance their problem solving skills can be difficult. For maximum student learning to occur, it is important that dynamic community building initiatives be identified that inspire students and model creative and collaborative problem solving processes of high quality.