fessors try to show that the process of arriving at the answer or arriving at the conclusion that there may not be one correct answer is what students should be learning.

At the University of Baltimore, Civil Procedure I and II are taught entirely by the problem method. There are a total of thirty-eight problem sets, twenty for first semester and eighteen for second semester. The overwhelming majority are similar in structure, format and purpose. The facts of the problems are pretty bare bones: only what is necessary to get across the concept. The students are assigned each problem set before the material is covered in class and are allowed and encouraged to work together in small groups when preparing answers.

The greatest benefit of the problem method is that classes are more lively and interesting. First, students are more willing and able to participate. Second, a gradual improvement is noticed in the class. While students do not always, or even usually, give a correct and complete answer at first (and the problems are mostly designed so that students will not), the number of times that a student completely 'misses the boat' is much fewer under the problem method than with the case method. The fact that the problems tend to keep the student focused on the right issue is a very important factor in its success.

The problem method helps by affording the lecturer somewhat more control and predicability as to what the students' initial answers will be. Using short, focused problems with simple facts allows much greater control and predicability as to what kind of mistake a student is likely to make.

It is also likely that students learning by the problem method spend more time preparing for class. With the case method, students read the assigned cases, but then do not have any specific assignment. With the problem method, however, a student's main task still lies ahead after having completed the assigned reading.

Year after year, student response to the problem method has been overwhelmingly positive. An overwhelming majority of students comment on how helpful the problems have been, often using superlatives that you do not typically hear from law students.

The most obvious drawback to the problem method compared to the case method is that the problem method neglects the important skill of learning to read, analyse and use case law. This might be a serious problem if all or most first-year faculty used the problem method exclusively. The problems do not help students learn the important skills of sifting through the facts to separate the relevant from the irrelevant in solving a more complex, multi-faceted problem. The kind of integrational skills taught by more complex problems are important ones for law students. The problem method is most useful in first-year courses and in other introductory courses where students will be learning the basics of a subject area.

TECHNOLOGY

Electronic delivery in law: what difference does it make to results?
M Cartwright & S Migdal
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This article details research which attempts to assess what effect electronic delivery of law modules has on actual student assessment performance. The authors reviewed the assessment results of students who had taken both con-ventionally and electronically delivered modules and compared and contrasted individual student performances in all the modules studied by them in a particular semester. This appeared to be a relatively unique piece of research as far as legal study is concerned.

They found that weaker students (those who might ordinarily fail or scrape a bare pass) were achieving a mark some 10% higher than that achieved in the conventionally delivered modules; pushing those students into the lower second category – the assessment criteria for such classification demanding evi-dence of deep as opposed to surface learning. However there was little or no difference in the marks achieved by upper second quality students.

A comparison was made between the students' average result in their electronically delivered module(s) with their average result in their non-electronically delivered modules. In an attempt to exclude some variable they also compared the average mark in the Communication and Information Technology (C & IT) modules with the average mark in Law of Medicine (100% coursework assessed but not student centred) and with Health and Safety Law (100% coursework assessed and paper student centred).

It was the weaker student whose performance increased most. The most commonly expressed view is that the good student does well from student-centred electronic delivery but the weak student struggles. In our survey the weak student increased his mark by more than a whole degree classification. Why such improved performance? The traditional view is that weaker students depend upon the placebo of the conventional lecture to learn and repeat the law, at best, sufficiently adequately to merit a bare pass. They do not use the library; they either do not read textbooks or get little, if anything, from them. They acquire and repeat surface knowledge only.

Electronic delivery is pushing their performance into the waters of deeper knowledge. It may be objected that it is not so much improved performance in the electronic modules but decreased performance elsewhere; that because electronic delivery makes students more responsible for their own learning the weak student is forced to spend a disproportionate amount of study time on the electronic module at the expense of the conventionally delivered modules. What cannot be denied, however, is that the quality of performance increases.

Of course, for some time now there have been such significant financial and domestic demands on students that it is doubtful whether there is such a thing as a 'full-time' student. It may well be, therefore, that the improved performance of the apparently weaker student is attributable to the accessibility of teaching and learning materials – attendance

at face-to-face lectures and visits to the library that would otherwise clash with work/domestic demands are available electronically on demand.

The authors have tried to deal with the argument that modules assessed purely by seen assignments produce higher grade profiles by reference to the medical law results. This was taught conventionally but was assessed by way of 100% coursework. The results, if anything, were worse than in more traditionally assessed modules.

A common early error of those jumping upon the C & IT bandwagon was that electronic delivery might well be a complete substitute for other forms of learning. This cannot be the case. The clear link between social interaction and deep learning has been recognised for some time. Indeed the author's own research revealed that one of the commonest student complaints about pure electronic delivery is the feeling of isolation.

Lecturing (and not lecturing) using the web: developing a teaching strategy for web-based lectures
L McNamara
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The new revolution is one of 'flexible delivery'. For many law teachers the move to flexible delivery is not a voluntary one. The continuing shift has been (and is still being) driven by two primary objectives, which apply at both institutional and departmental levels. First, there is constant pressure to reduce the cost of running programs and subjects – in short, there is a widespread need to do more with less. Secondly, the joint factors of budget and marketing necessities have required universities and departments to capture a greater share of the education 'market'. Where minimal or no attendance on campus is required, a program may attract students who would otherwise attend another institution.

Anecdotal evidence from the University of Western Sydney Macarthur (UWS) and other universities would suggest that many law staff are facing the requirement that they make use of the

Internet either to replace other modes of subject delivery or to complement them. The problems that arise centre not merely on technology issues but also on educational objectives: how does the web differ as a medium for subject delivery, and how should teachers deal with such differences. As a result of these changes, existing strategies for teaching and learning will need re-thinking if the educational dialogue is to be effectively (re)constituted in the unfamiliar and impersonal contexts which are dictated by institutional imperatives to deliver legal education in a flexible manner.

Introduction to Law is the foundation subject in the LLB degree at UWS. In autumn semester 1999, the project Starting Out: An Introduction to Law and An Introduction to Flexible Delivery set about replacing the weekly face-to-face one hour lecture with a weekly web-based lecture which could be accessed by students at the time and place of their choice. The rationale of the project was threefold, addressing: first the administrative pressures of timetabling and lecture/ tutorial structure for the first year cohort; secondly fitting in with the university objectives for increasing flexibility in program and course delivery; and thirdly raising the possibility of significant developmental benefits, including an introduction to flexible learning in a foundation subject at the beginning of students' university education. The aim was not to remove the learning aspect of the lecture and leave only the seminar; rather, the aim was to re-define the learning process of the course as a whole.

The literature on web-based instruction in law, while not extensive, has gained some currency. The preference and pressure within most law schools appears to be not for total off-campus delivery but for a mixed mode of flexible and face-to-face delivery.

While the objective of deep learning permeates the literature on Internet-based teaching in other disciplines, this does not lead to uniformity in teaching methods. This is unsurprising – trad-itionally, most subjects are taught in classrooms, but the

approaches and activities which occur within those classrooms vary greatly. The use of the Internet can be broken down into two often overlapping approaches: teaching through the Internet, and teaching with the Internet. In the former approach, the technology is used as a vehicle for learning; students construct their knowledge through the use of the Internet as an interactive tool, working with discussion pages and web-based hypertext media in non-linear models of learning, taking control over the approach to and structure of their learning. The focus on interaction gives rise to substantial parallels with the theories and practice of problem based learning.

On the other hand, teaching with the Internet is characterised by the use of the Internet as a vehicle for more efficient course delivery, but in an essentially non-interactive and non-collaborative way. This approach would typically involve the delivery of course materials, and basic communication functions from lecturer to students, or student to lecturer. It is easily suited as a supplementary strategy for traditional teaching structures.

Is one of the two approaches to teaching better than the other? This depends on the teaching objectives, the resources available to students and staff, and other aspects of course structure and design.

The subject Introduction to Law is designed first to require students to engage in critical analysis of a selection of issues related to the nature and operation of law, legal institutions and the legal process; and, second, to equip students with basic skills to undertake deep learning in other subjects.

If students are to understand the materials and the point of the course, they need to read and comprehend those materials in a sophisticated manner. Simplified explanations in permanent form may detract from such a project. Hence there should be reluctance in the web-lectures to provide written explanations of the readings.

The objectives of the faculty and the subject underpinned the web-lectures.