***E-LEARNERS OF A LEGAL CLINIC***

I started my university career with an idea that ultimately changed over the course of the years. Indeed, my academic experience has been always focused on a intensive theoretical studies: hundreds and hundreds of pages read and repeated many times, but never followed by a practical application of the notions acquired. This is mainly due to the fact that in Italy Law faculties dedicate few opportunities to out-of-class training for their students, therefore students, even once graduated, often find themselves completely unaware of “*practical application of the law*”.

Undoubtedly, the passion for the law and the interest in the topics analyzed in class, have made my academic journey pleasant and, however, after having taking a law clinic class, I now have the certainty that the five years spent in the Law faculty, could have been organised better.

Still, throughout the years, I come to realize that most of my fellow university fellow students were not familiar with even the concept of legal clinics. This is probably ascribable to two different reasons**,** closely linked to the lack of information on the subject of legal clinics.

The first one is undoubtedly related to the fact that, despite the implementation of several legal clinics in the European universities, clinical education still represents a novelty. Indeed, even the students most involved in the Department life are unaware of the existence of legal clinics.

The second one, is a result of a frequent misuse of the label “legal *clinical*” in continental Law schools, where it is often used to describe classes that do not present the features of clinical law teachings. It happened to me as well, as I attended a course that, even though denominated “Clinica legale”, restricted access to the clinical-like activities to a limited number of students and only after having taken the final exam. I was not included, therefore being unable to gain any “real learning by doing” experience, thus limiting.

On other occasions, I was also able to listen to the experience of some university mates who took courses named “*legal clinic*” again only based on theoretical studies although formally focused on practical cases.

Clinical teaching, however, is much more than this: when we talk about legal clinics we refer to a particular form of learning, which is based on the study of real cases and on the real-life resolution of them. Students, drawing from the knowledge acquired during their theoretical legal studies, learn fundamental professional skills, such as the mental elasticity necessary to identify the main problem of a case and the rules that can be applicated to it[[1]](#footnote-1).

As for my personal experience, in the Second semester of the Academic year 2019/2020 (March-May 2020), I have attended the “Small Savers’ Protection Legal Clinic” (SSPLC)”. The SSPLC was held by both a professor and a lawyer: every week, a practical case, concerning aspects of consumers-savers protection in the banking and financial sector, was brought to our attention and, after a discussion on the main legal grounds of the case, we were given a deadline to write an opinion about it. Our course was limited to a small group of students, in order to allow each of us to actively participate to the classes by expressing our opinions, arguments and points of view.

The peculiarity of the legal clinic I attended was that it was completely online due to the Covid-19 emergency, which forced university, students and professors to reinvent themselves. This unprecedented necessity has raised perplexity about the efficiency of online university courses, in particular with regard to legal clinics. In fact, as already mentioned, legal clinics implies a practical and experiential learning of the law more difficult to convey through online classes. Such perplexities ware reflected in the lower number of students attending the SSPLC as opposed to the high/medium numbers registered in the years before the pandemic outbreak.

However, now that few months have passed since I took the legal clinic class I can say that, despite the unusual online-mode, I am very satisfied with my experience as an e-learner. Indeed, despite the online medium I was still able to appreciate the peculiarities of this teaching method.

The first aspect of singularity is represented by the lack of a direct contact with the client: indeed, the lockdown restrictions made it impossible to physically meet with the clients. Still, in my opinion, this did not undermine the other countless benefits that a law student can derive from his/her participation to a legal clinic and the efficacy of its teaching method.

In fact, even though the class I took was characterised by a figurate image of the client, it did not deprive the legal clinic of its real-life feel. Indeed, every week, we students carried out a study aimed at the solution of practical cases, addressing interesting and actual juridical questions.

Besides, I believe that the lack of contact with the client could be considered a “*gap*” easy to fill even for an online clinical teaching, for instance by conducted interviews through Skype or other platforms which can guarantee a safe even if remote communication. In fact, despite the impossibility to meet in person, it is important to recognise that the sanitary emergency we are living is forcing us to adapt our relations to the online context. Accordingly, in my opinion, future e-learners could benefit from a telematic involvement of the clients.

The second peculiar challenge that an online legal clinic faces is the obstacle to an effective teamwork. Indeed, a legal clinic requires constant discussion between students but online every reaction is delayed and therefore the debate suffers the lack of interactive individual contributions to it. In this regard, however, I need to say that, even if more difficult, when there is complicity and affinity among students, working in team is not totally impossible.

Indeed, even though I took the class online, debates among my classmates were always present. Also, after the class, we also met to further discuss the legal questions raised by the cases assigned thus benefiting from the insights brough by every classmate.

Also, despite the disadvantages just described, I believe that a legal clinic carried out remotely could also enjoy a greater advantage: it easier to ensure attendance. Indeed, for many students it is not easy to commute to the physical classroom many days a week, therefore holding classes online enables students to be more constant in their attendance rates, an aspect that is crucial in classes such as the legal clinic were attendance is compulsory and instrumental to an active debate and interaction between the students.

In view of the above, however, I think that, in order to guarantee that it works properly, a fundamental requirement, closely linked to the difficulties ascribable to the lack of an interpersonal contact among students, clients and professors, cannot miss: this element is represented by a small number of participants.

In fact, like every online course, a limited number of students makes the conversation easier among its participants, especially in the case of a legal clinic where, as already said, , a full interaction among legal clinic students is necessary. In addition, a small number of participants to the course allows students to be followed in a very productive way, to enjoy particularly accurate corrections and to make themselves completely known, thus benefiting from a more personalised teaching.

However, in my opinion, limiting the number of participants also entails the need to increment the number of clinical teachings in order to make the experience accessible to as much student as possible. Indeed, the having a limited number of this type of teachings to choose from can only have two consequences: forcing legal clinics to accept an exorbitant number of students or preventing most of them from experiencing a clinical teaching. On the contrary, incrementing legal clinics in the universities could allow many students to take part into this type of university courses and, at the same time, it could allow professors to maintain a limited number of participants.

In conclusion, I would like to point out that, despite some little difficulties linked to the shift to an online mode of teaching, the differences between a legal clinic carried out with the traditional modalities and a legal clinic carried out online are minimum and, certainly, they are not suitable to rule out the countless advantages that a case-based teaching of the law can provide.

Indeed, by attending a legal clinic I understood that analysing and studying practical cases, trying find a legal solution to them, allows students to acquire legal notions in a way that is much easier than simply studying the law on a books.

Certainly, every class of a Law University curriculum is completely functional to become young experts of the law: nevertheless, the experience gained thanks to attending a legal clinic, made me understand that, putting into practice the notions theoretically studied allows an easier comprehension.

Moreover, it is important to underline that by attending a legal clinic I also experienced a greater pleasure in learning: in fact, the clinical method made my studies more challenging and, consequentially, more productive .

Moreover, it should be clarified that the clinical teaching of the law gives the students an additional competitive advantage in the professional market as it differentiate them by offering field experience. I can guarantee that, once I graduated, this aspect was for me a point of great force: beside the fact that I was not totally confused when presented with practical cases, I noticed that people who invited me for interviews were particularly interested in my legal clinic experience.

Building on what I just said, I wish that this essay will be helpful to anyone already interested in approaching the world of legal clinics or to spread the knowledge between students who, until this moment, were not even aware of the goals and advantages linked to a not-conventional teaching of the law.

As a former student, or better, a former e-learner of a legal clinic I am very satisfied with my university experience and, for this reason, I would suggest to all those who intend to undertake this kind of path, not to give up in front of the circumstance that it is not possible to face it with the traditional in-presence mode. In fact, the advantages and the aim of a legal clinic do not fail because of its telematic organization: it is simply a new and innovative approach that, certainly, in a difficult period like the one we are living, allows university students to not have to give up a didactic experience able to offer a 360-degree legal training.

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1. B. WINKLER, “*Imparare facendo. Cosa sono le cliniche legali e perché vale la pena di introdurle nelle facoltà di giurisprudenza*”, Report to the seminar, University of the Studies of Brescia, 13 maggio 2010. [↑](#footnote-ref-1)