FEASIBILITY OF MOOCS FOR LEGAL EDUCATION[*]

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ABSTRACT

Distance learning tools are not a feature of modern times. However, COVID-19 pandemic boosted its usage and enabled its penetration into higher education. Among various e-learning features, higher education embraced model of Massive Open Online Courses (MOOCs). This paper addresses the very notion of e-learning in law. It focuses on MOOCs from the perspective of educational pedagogy, but more specifically on its usage in legal education. Pros and contras are given based on experience of MOOCs development in the framework of DIGinLaw project.

Keywords: *MOOCs, legal education, E-learning, digital literacy, digital competences*

1. INTRODUCTION

Distance learning tools are not a feature of modern times, but they evolved over the last decades. Educational sciences have intensively explored the modalities of distance learning and the use of information and communication technology (hereinafter: ICT) for teaching in higher education (hereinafter: HE). However, COVID -19 pandemic boosted its usage and enabled its penetration into HE in general. Triggered by necessity, other scientific fields have also started to explore the possibilities and challenges of using technology to teach a particular scientific field. Legal sciences are no exception to that either. All over the world during the pandemic law schools have combined high-tech and low-tech approaches to help teachers support student learning.[1] Though the delivery of lectures often did not comply with contemporary e-learning didactic and methodical approaches, the

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[1]   Barron, M.; Cobo, C.; Munoz-Najarinaki, A.; Ciarrusta, S., *The changing role of teachers and technologies amidst the COVID 19 pandemic: key findings from a cross-country study*, World Bank Blogs, 2021,

system worked for crisis at hand. However, the recent global study revealed that despite the e-learning movement during and after COVID-19 pandemic, most law schools returned to traditional methods of class delivery.[2] Advantages and potential challenges of distance learning in the field of law should be explored, to enable full benefits of technology for law students and legal profession in general.

Distance learning tools are not creation of modern times. The concept of e-learning has been developing systematically for several decades. The development dates back to the 1980s when computers were gradually introduced into the education system. Introduction of the Internet in the 1990s strengthened the e-learning architecture. Further momentum in development continued in the 2000s with the emergence of social networks, Google Scholar and cloud computing around 2010[3] and open Educational resources around 2020s. Among various e-learning features, contemporary high education embraced the model of Massive Open Online Courses (MOOCs). This paper addresses the very notion of MOOCs from perspective of educational pedagogy. More specifically, it focuses on the methodology of MOOCs creation and its performance in area of legal education. Pros and contras are given based on experience of MOOCs development in the framework of *Time to Become Digital in Law* project (DIGinLaw).[4]

Time to Become Digital in Law project (2020-1-HR01-KA226-HE-094693) is funded by the EU through *Erasmus+ KA226 - Partnerships for Digital Education Readiness 2020 programme.* DIGinLaw is a collaborative project run by a consortium of four European universities: Josip Juraj Strossmayer University of Osijek (Croatia) (coordinator), University of Milano (Italy), University Court of the University of Aberdeen (United Kingdom) and Computing Centre of University of Zagreb (Croatia) as partners. DIGinLaw raises awareness of digital demands in HE in law and fosters the creation of digital literacy and digital competence that is needed in the law labour market. Project is thereby creating an open and inclusive society of legal knowledge to scientific area dealing with the effects of digitalization on law and legal education.

[https://blogs.worldbank.org/education/changing-role-teachers-and-technologies-amidst-covid-19-pandemic-key-findings-cross], Accessed 25 August 2023.

2   Nottage, L.; Ibusuki, M., *Comparing Online Legal Education World-Wide: An Overview Before and after the Pandemic*, in: Nottage, L.; Ibusuki, M. (eds.), Comparing Online Legal Education, Intersentia, Cambridge, 2023.

3   Cope, B.; Kalantzis, M., *Pedagogies for Digital Learning: From Transpositional Grammar to the Literacies of Education*, in: Sindoni, M. G.; Moschini, I. (eds.), Multimodal Literacies Across Digital Learning Contexts*,* Routledge, New York, 2021, pp. 34-53.

4   Time to Become Digital in Law, *MOOCs,* [https://www.pravos.unios.hr/diginlaw/modules/], Accessed 27 August 2023.

2. IMPACT OF DIGITAL TRANSFORMATION ON LEGAL PROFESSION

Digital education synonyms for e-learning and learning based on the application of ICT in the teaching and learning process. Since it is a model of education based on the application of digital technologies, performance is possible entirely in the form of online learning or through other forms of mixed teaching which include a combination of classical teaching and the application of ICT. E-learning availability is boosted by the deployment of a wide range of digital technologies such as apps, platforms, software and others. Digital transformation as a change related to the application of digital technology in all aspects of human life, has undeniable potential in legal education.[5] Moreover, it's a demand posted by the legal profession which is getting digitalized.

The legal profession is already in the third stage of the digital transformation. The first stage began in the late 1970s with electronic data processing and computing, primarily using computer solutions for the creation and processing of text and data storage media.[6] This was followed by a second stage characterised by the use of large data (big data) and modern telecommunications. Within this stage, the technology-enabled lawyers and other legal professionals to accumulate and process an increasing amount of legal material through the storage and decentralisation of data in the "cloud". In addition, at this stage, some outdated information and communication solutions have been abandoned. Practitioners have increasingly focused on the use of e-mail, as well as video conferencing systems that enable more direct virtual communication in real time.[7] Finally, the legal profession is currently in the third stage of its digital transformation, characterised by the use of artificial intelligence, algorithms and automated decision-making systems. Although there is global disparity in the level of development of the third stage of digital transformation of the legal profession, automated court systems already perform full judicial functions in some countries.[8] The rise of modern technology has changed the concept of technological literacy. Therefore, online legal educational patterns should exceed low-level assessment, as future lawyers must learn to deal with artificial inteligence,[9] digital assets, blochain and many other.[10]

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[5]   Janssen A.; Vennmanns, T.; *The Effects of Technology on Legal Practice: From Punch Card to Artificial Intelligence*?, in Dimatteo, L.A. et al (eds.), The Cambridge Handbook of Lawyering in the Digital Age, Cambridge University Press, Cambridge – New York, 2021, p. 59.

[6]   *Ibid.,* pp. 46-47.

[7]   *Ibid.,* pp. 48-49.

[8]   *Ibid.,* p. 49.

[9]   McGinnis J. O.; Pearce, R. G.; *The Great Disruption: How Machine Intelligence Will Transform the Role of Lawyers in the Delivery of Legal Services*, Fordham Law Review, Vol. 82, No. 6., 2014, pp. 3041-3042.

[10]   Fenwick, M.; Wulf A. Kaal & Erik P. M. Vermeulen, *Legal Education in a Digital Age*, in: Compagnucci, C.M.; Forgó, N.; Kono, T.; Teramoto, S.; Vermeulen, E.P.M. (eds.), Legal Tech and the New Shar-

In view of the above, the need for the digital transformation of HE in the field of law is also necessary for HE institutions to fulfil their social function and to educate competing and digitally competent lawyers for the labour market. All the more so, according to the given normative framework, the qualifications obtained by completing university studies should, *inter alia*, confirm the competence to live and work in a changing social context in accordance with the requirements of modern information and communication technologies. Digitalization becomes vital for providing lifelong-learning in law as well. [11]

3.   EUROPEAN STRATEGICAL INCENTIVE TO BOOST E-LEARNING IN LAW

The most prominent form of online education is the creation of MOOCs. However, leading MOOC platforms are outside the European Union (hereinafter: EU). In Europe, there is a diverse range of online courses offered, but very few MOOCs. Given the good Internet coverage and high GDP of EU Member States, but also a number of strategic goals set by the EU, the digitalization of HE should be implemented systematically. Many strategic goals speak for legal education delivered by MOOCs.

The European Digital Strategy[12] is promoted through the programmes A Europe fit for the digital age, Empowering people with a new generation of technologies,[13] 2030 Digital Compass: the European way for the Digital Decade,[14] and financially supported by the Next Generation EU.[15] E-learning in HEshould meet the desired future investment in digital skills for all Europeans and directly contribute to achieving an open, democratic and sustainable society that harnesses technology in order to reach the milestone of Europe to become climate-neutral by 2050.

ing Economy, Springer Nature, 2023, pp. 135–154.

[11]   Župan, M.; Kunda, I.; Poretti, P.; *Judicial Training in European Private International Law in Family and Succession Matters*, in: Pfeiffer, T.; Lobach, Q. C.;Rapp, T. (eds.), Facilitating Cross-Border Family Life – Towards a Common European Understanding: EUFams II and Beyond, Heidelberg University Publishing, Heidelberg, 2021, pp. 122-124.

[12]   European Commission, *European Digital Strategy*, 2020, [https://ec.europa.eu/digital-single-market/en/content/european-digital-strategy], Accessed 27 August 2023.

[13]   European Commission, *A Europe fit for the digital age, Empowering people with a new generation of technologies*, 2020, [https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age_en], Accessed 27 August 2023.

[14]   Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2021) 118 final.

[15]   European Union, *Next Generation EU*, [https://europa.eu/next-generation-eu/index_en], Accessed 27 August 2023.

MOOCs usage in HE is in line with European Digital Education Action Plan 2021-2027[16] priorities on fostering high performing digital education ecosystem and enhancing digital skills and competences for the digital transformation. With its priority two, the Digital Education Action Plan 2021-2027 redefines education and training for the digital age and goes in line with a European Skills Agenda.[17] Using MOOCs for education meets European Declaration on Digital Rights and Principles for the Digital Decade and Digital Decade Policy Programme 2030.[18]

European Strategy for Universities[19] gives universities a fundamental role in digital transformation. MOOCs thus go hand in hand with the European Commission's science and knowledge service advocacy for Open Educational Resources (hereinafter: OER). OER are […] learning, teaching, and research materials in any format and medium that reside in the public domain or are under copyright that have been released under an open license, permitting no-cost access, re-use, re-purposing, adaptation, and redistribution by others.[20] Delivery of MOOC's also contributes to achieving a micro-qualifications advocated by the EU.[21]

The use of digital tools meets the Council's Recommendation of 16 June 2022 on learning for green transition and sustainable development.[22] EU goals are to achieve an open, democratic and sustainable society that takes advantage of technology to reach the milestone of Europe becoming climate-neutral by 2050. MOOCs contribute to realization of Green Deal objectives by learning in virtual environment and reducing travel and use of consumables.

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[16] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Digital Education Action Plan 2021-2027 Resetting education and training for the digital age COM/2020/624 final.

[17] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, European Skills Agenda for Sustainable Competitiveness, Social Fairness and Resilience COM/2020/274 final.

[18] European Union, *Declaration on European Digital Rights and Principles*, 2022, [https://digital-strategy.ec.europa.eu/en/library/declaration-european-digital-rights-and-principles#Declaration], Accessed 28 August 2023.

[19] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European strategy for universities COM(2022) 16 final.

[20] Cronin, C.; *Openness and Praxis: Exploring the Use of Open Educational Practices in Higher Education*, Int. Rev. Res. Open Distrib. Learn. Vol. 18, No. 5, 2017, pp. 1–21.

[21] Council Recommendation of 16 June 2022 on a European approach to micro-credentials for lifelong learning and employability 2022/C 243/02 ST/9790/2022/INIT [2022] *OJ C 243, pp. 10–25.*

[22] Council Recommendation of 16 June 2022 on learning for the green transition and sustainable development 2022/C 243/01 (Text with EEA relevance) ST/9795/2022/INIT [2022] *OJ C 243, pp. 1–9.*

MOOCs in open access further contribute to knowledge even more accessible and education more inclusive. MOOCs reduce geographic and economic barriers with education accessible to all. MOOCs in particular contributes to the achievement of the EU disability policy by providing the inclusive learning.[23] Approximately more than 87 million people in the EU have some kind of disability, which to a certain extent limits their participation in social and economic life.

In terms of lifelong learning in the field of legal education, the goals of EU justice policy touch on digitalisation. The European Commission's Communication of 27 May 2020 entitled "Europe's Moment: Repair and Prepare for the Next Generation" affirms that digitalisation of justice systems can improve access to justice and the operation of the business environment. The aim of the Strategy on e-Justice 2019-2023 is to improve and simplify access to information in the field of justice, support the digitalisation of cross-border judicial and extrajudicial procedures in all areas of law.[24]

Law students with developed digital competences are an invaluable asset for the labour market. Quality future lawyers holding competitive digital competences and skills are able to respond to the needs of clients, law firms and the court system. Transferable digital competences and skills acknowledged by the European Qualification Framework (EQF) foster free circulation of highly educated labour market.[25] The need for new digital skills in law labour market stands out of the New Strategy on European Judicial Training for 2021-2024 as well.[26] It asks for development of tailored e-learning addressing the needs of EU judicial space: interactive, practical and accessible to all learners.

"Digital sources of knowledge are becoming increasingly accessible to students and adults. Teachers, counsellors, mentors and trainers therefore need to develop the ability to introduce new approaches through information and communication technologies (and related tools) and create new digital educational content. For this reason, continuing professional development will be vital for all teachers and

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[23] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030 COM/2021/101 final.

[24] [2019] OJ C 96/3.

[25] The European Qualifications Framework: supporting learning, work and cross-border mobility, Publications Office of the European Union, Luxembourg, 2018.

[26] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Ensuring justice in the EU — a European judicial training strategy for 2021-2024 COM/2020/713 final.

educational staff in the process of identifying, developing and guiding the knowledge, skills and abilities of individuals.“[27]

A European framework for digital educational content[28] seeks to establish main principles for certain education sectors and their needs. It takes into account the high-quality teaching, planning, accessibility, recognition and multilingualism. Systematic development of digital education is complemented by an idea of setting up a European platform for the exchange of certified online resources.[29] It reflects the need for interoperability, certification, verification and portability of content by establishing mass open online courses and linking existing educational platforms.

The introduction of innovative digital HE models is advocated also by European Universities Initiative,[30] where EU inter-university campuses will function virtually and in a physical environment.[31] Another contribution to facilitating secure electronic exchange and verification of student data and ratings and facilitating student mobility management comes with the European student card Initiative.[32] Identification and authentication for online learning activities in a host institution in another Member State is based on EU electronic identification rules.[33]

4.   MOOC'S AS A FEATURE OF E-LEARNING IN LAW

Educational sciences have been deeply engaged with the phenomena of online and distance learning. However, the penetration of online education into other HE areas requires scientist and teachers of certain fields of science to reconsider and redefine the way they transpose knowledge in a virtual environment. Legal educa-

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[27]   *Ibid.,* p. 35.

[28]   European Commission, *European Framework for Digitally Competent Educational Organisations – DigCompOrg*, [https://joint-research-centre.ec.europa.eu/european-framework-digitally-competent-educational-organisations-digcomporg_en], Accessed 28 August 2023.

[29]   European Commission, *European Education Area, Quality education and training for all*, [https://education.ec.europa.eu/resources-and-tools/online-learning-resources/online-platforms], Accessed 28 August 2023.

[30]   Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on a European strategy for universities Strasbourg, COM(2022) 16 final.

[31]   CIVIS, *European University Initiative: transforming higher education in Europe*, [https://civis.eu/en/about-civis/european-university-initiative], Accessed 28 August 2023.

[32]   European Commission, *European Student Card Initiative*, [https://education.ec.europa.eu/education-levels/higher-education/european-student-card-initiative], Accessed 28 August 2023.

[33]   Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC [2014] OJ L 257, pp. 73–114.

tion theory has to critically address basic underlying features of online education, referred to as phenomena of e-learning ecologies.[34] A number of new educational technologies are emerging in both traditional and modern learning venues. The concept, cost and benefits of online HE have occupied academia during the last decade, with recent academic assessment dealing with online HE in general[35] and in law.[36] Recently the methodology of e-lerning in law gets more elaborated.[37] In order to facilitate the digital transformation of HE, varied tools and guides are developed.[38] Despite of it, representation of MOOCs in curricula (regular or optional) of European law schools is scarce.

4.1. DIGinLaw project – pilot MOOCs in law

The *Time to become digital in law* – DIGinLaw project is the most prominent example of a progressive, thorough and well-established approach to online legal education.[39] The project aims to address aspects of digitalisation in legal education and law. It addresses the development of digital competencies of HE teachers for innovative teaching practices, which are the backbone of the module on knowledge, skills and competencies for T-shaped lawyers. As a result, 12 MOOCs have been developed in collaboration with four participating universities. Digital competencies for lifelong learning for law students are also being developed. In addition to digital skills, the promotion of research and publication on the topic "Digitalisation in legal education and law" lies on the open science foundation.

Project partners developed 11 MOOCs corresponding to EQF level 7 and 1 joint MOOC for PhD level 8. MOOCs for level 7 touch upon content which is mainly still not part of regular curricula. Topics covered are: Cross-border Dispute Reso-

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[34]   Cope, B.; Kalantzis, M., (eds.), *E-Learning Ecologies, Principles for New Learning and Assessment,* Routledge, Oxon – New York, 2017.

[35]   Fandl, K. J.; Smith, J. D., *Success as an Online Student: Strategies for Effective Learning*, Routledge, Oxon – New York, 2013.; Isaias, P.; Sampson, D. G.; Ifenthaler, D. (eds.), *Online Teaching and Learning in Higher Education*, Springer, Cham, 2020; McKenzie, S.; Garivaldis, F.; Dyer, K. R., *Tertiary Online Teaching and Learning: TOTAL Perspectives and Resources for Digital Education*, Springer, Cham, 2020; McDougall, J., *Critical Approaches to Online Learning*, Critical Publishing, 2021; Kučina Softić, S.; Odak, M.; Lasić Lazić, J.; *Digitalna transformacija - nove prilike i izazovi u obrazovanju,* Sveučilište Sjever, Koprivnica, 2021, p. 207.

[36]   Jones, E.; Cownie, F.; *Key Directions in Legal Education: National and International Perspectives*, Routledge, Oxon – New York, 2020.

[37]   Thanaraj, A.; Gledhill, K., (eds.), *Teaching Legal Education in the Digital Age. Pedagogical Practices to Digitally Empower Law Graduates*, Routledge, Oxon – New York, 2023.

[38]   Inamorato Dos Santos, A.; Punie, Y.; Castaño Muñoz, J., *Opening Up Education: A Support Framework for Higher Education Institutions*, Publications Office of the European Union, Luxembourg, 2016.

[39]   Time to Become Digital in Law, [https://www.pravos.unios.hr/diginlaw], Accessed 28 August 2023.

lution in a Digital World; Data protection and cybersecurity in the EU; Consumer Protection in a Digital Age; Artificial Intelligence and Criminal Justice; International Family Law in the Age of Modern Technologies, Algorithmic discrimination: a blueprint for a legal analysis; Cryptocurrencies and Conflict of Laws; Managing Economic Aspects of Cross-Border Families in the Digital Era; Distributed Ledger Technologies and EU Private International Law; Free Movement of Persons in a Digital World; Human Rights Challenges in the Digital Era.[40] In additions, project has resulted with two MOOCs targeting digital competences of law students and law professors.

4.2. MOOC's revealed – call for a new pedagogical approach

Online education requires a change in pedagogical approaches that accompany e-learning and use of computers. There is a high risk of delivering online classes without appropriate methodology.[41] Rate of satisfaction with online classes reflects the attitudes of students towards online teaching in HE. Thus lack of appropriate methodology can lead to reservations or barriers and result in insufficient usage.[42]

The implementation of e-learning in the educational process enables a paradigm shift from the teacher being at the centre of the educational process to the student being the centre of the educational process. The teacher is thus afforded a new role of mentor and coordinator in the educational process, with students becoming active participants and taking responsibility for their results in the educational process, in both the transfer and creation of knowledge and research. Reversal of the traditional teacher–learner role calls for a new approach. Technology interventions have improved teacher engagement with students. Effective teachers rely on improved access to content, data and networks to better support student learning. Integrating e-learning into the regular education system is preconditioned by teachers developing digital competencies. This requires investment in the development of didactic-methodological resources and capacities to exploit the full potential of remote and blended learning.[43]

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[40] Time to Become Digital in Law, *MOOCs*, [https://www.pravos.unios.hr/diginlaw/modules/], Accessed 30 August 2023.

[41] Bennett, R.; Kent, M., (eds.), *Massive Open Online Courses and Higher Education: What Went Right, What Went Wrong and Where to Next?,* Routledge*, Oxon – New York*, 2017.

[42] Constantino, G.D.; Raffagheli, J.E., *Online teaching and learning, going beyond the information given*, in: Di Gesú, M. G.; González M.F. (eds), Cultural Views on Online Learning in Higher Education: A Seemingly Borderless Class, Springer Nature, Cham, 2021, p. 4.

[43] Kučina Softić, S., *Teachers' digital competencies for E-learning application in higher education*, in: Towards Personalized Guidance and Support for Learning, Proceedings of the 10thEuropean Distance and E-Learning Network Research Workshop, Barcelona, 24-26 October 2018, 2018, p. 206.

There is a growing focus on learning processes, with students becoming active participants responsible for their learning achievements, and teachers using innovative teaching methods, encouraging students and motivating them to get involved, explore, reflect, build new knowledge and acquire new skills. Traditional teaching methods, primarily with the teacher at the centre of the educational process are insufficient for today's students. It does not meet their needs as students to learn individually. Technology enables and encourages a paradigm shift in focus from teaching to learning, and provides a model for student placement at the centre of the educational process. Digital technologies in teaching and learning are changing the skills teachers must have and shifting the focus from teaching design to learning design, changing the teacher's perspective from a sage on the stage to a guide and tutor.[44] The role of the teacher changes from a synthesiser of disciplinary content to a digital content curator who designs learning activities.[45]

5. METHODOLOGICAL CHALLENGES TO MOOCS IN LAW

MOOCs can be self-paced, fully online, or guided.[46] The digital environment calls for a new approach to defining student activities and achieving desired learning outcomes.[47] Students must be provided with adequate learning materials. Adequacy is measured by several criteria. In terms of availability, it is necessary to create digital materials[48] or use open access materials.[49] Though OER are much prompted by the EU,[50] experience of DIGinlaw project proved that very accurate legal content reading materials are mainly not available in open access. Even if available, scientific papers are mainly not appropriate for MOOCs reading materials. Namely, the complexity and quantity of learning materials depends on the education level. In line with the EQF guidelines, the number of pages in a given

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[44] Dysart T.L.; Norton, T.; *Law Teaching Strategies for a New Era: Beyond the Physical Classroom*, Carolina Academic Press, LLC, 2021.

[45] Sindoni, M. G.; Moschini, I.; (eds.), *Multimodal Literacies Across Digital Learning Contexts*, Routledge, Oxon – New York, 2021; Cope; Kalantzis, *op. cit.*, note 3, p. 7.

[46] Armellini, A.; Padilla Rodriguez, B.C., *Active Blended Learning: Definition, Literature Review, and a Framework for Implementation*, in: Padilla Rodriguez, B.C.; Armellini, A. (eds.), Cases on Active Blended Learning in Higher Education, IGI Global, 2021.

[47] Gil-Jaurena, I.; Kučina Softić, S., *Aligning learning outcomes and assessment methods: a web tool for e-learning courses*, International Journal of Educational Technology in Higher Education, Vol. 13, 17, 2016.

[48] Rubin, E., *Legal Education in the Digital Age*, Cambridge University Press, Cambridge, 2012.

[49] Kučina Softić, S.; Rako, S.; *Otvoreno obrazovanje i otvoreni obrazovni sadržaji*, in: Hebrang Grgić, I., (ed.), *Otvorenost u znanosti i visokom obrazovanju*, Školska knjiga, Zagreb 2018.

[50] Mićunović, M.; Rako, S.; Feldvari, K., *Open Educational Resources (OERs) at European Higher Education Institutions in the Field of Library and Information Science during COVID-19 Pandemic*, Publications 2023, Vol. 11, No. 3, 38, 2023.

reading material should be calculated through the time a student is expected to spend reading and learning. HE teachers should develop digital competencies. The know-how is available with an open access MOOC on digital competence for law teachers.[51]

MOOCs are divided into sections (weeks of performance) that have a similar/ equal workload. The sections usually consist of a video, interactive material, PPT or some other digital tool, student assignments, reading materials and assessment. The teacher must specify the time required for accomplishing each section or each task within a section. MOOCs can be self-paced, fully online, or guided.[52] The latter is advocated by active blended learning, where the course includes static materials for reading and self-paced forms of e-learning, where students can watch or otherwise participate, and parts that are directly instructed by the teacher – guided.[53]

The new environment calls for a new approach to defining student activities and achieving the desired learning outcomes.[54] However, as MOOCs can be self-paced or guided, the choice of model would largely determine student activities as well as the assessment strategy. From a legal perspective, the usual distance platform tools for knowledge assessment, multiple choice questions, blank questions, quizzes, crossword puzzles, etc., should be appropriate for student self-assessment. However, students should be encouraged to solve tasks in interactive ICT programmes licenced for education, such as those whose goal is to create a mental map. Solving a hypothetical case can be a very promising student activity, although it would be advisable to give students hints and problem questions, or even provide them with a teacher essay in a step-by-step build-up of case complexity. The teacher may come up with even more complex team collaboration tools, or at least set up a forum so that students who sign up for the course can interact. Sometimes problem issues/hypothetical cases are given as assignments that require a student to write a response (approximately 200 words) and upload it to the forum for others to read and discuss. If this option is used, a time frame must be specified. Such assignment is preferable in guided courses. In a guided course, it is preferable to activate students to collaborate, use interactive tools for that purpose, schedule a debate, and assign them an essay on a topic or an elaboration of case law.

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51 MoD, [mod.srce.hr], Accessed 30 August 2023.
52 Armellini; Padilla Rodriguez, *op. cit.*, note 46.
53 Carl, M.; Worsfold, L., *The implementation and embedding of digital skills and digital literacy into the curriculum considering the Covid-19 pandemic and the new SQE: A case study from inception to implementation and continual development of the Digital Academy*, Journal of Information Literacy, Vol. 15, No. 3, 2021, pp. 119-133 and pp. 121-122.
54 Gil-Jaurena; Kučina Softić, *op. cit.,* note 47.

Students must be provided with adequate learning materials. Adequacy is measured by several criteria. In terms of availability, it is necessary to create digital materials[55] or use open access.[56] Complexity and quantity of learning materials depend on the level of education. In line with the EQF guidelines, the number of pages in a given reading material should be calculated through the time a student is expected to spend reading and learning. An average student can read 10 pages and study 6.25 pages of difficult professional text, or read 15 pages and study 7-8 pages of simpler professional text as individual tasks/team work in one work hour.

As a reward for participating in a MOOC, a student can receive a digital badge or ECTS credits. If ECTS credits are formally awarded for the course, the hours of work per 1 ECTS are calculated according to the national scale, which is in principle 25-30 student work hours for 1 ECTS.

6. CONCLUSION

Digitalization strongly affects all segments of society including science and the transfer of knowledge. Digital technology may provide high-quality and inclusive education and training. Such technology may support the teaching and learning process either as fully online, distance or blended learning. It boosts more personalised and flexible learners-centred learning. E-learning enables acquiring digital competences (knowledge, skills and attitudes) for life, work, learning and advancement in an increasingly digital-dependent world. The need to set up new teaching and learning facilities in legal education can be extracted from European strategic documents on digitalisation, high education, green deal, disability, sills and competences and judicial training as well.

Focusing more specifically on the legal profession and HE in law, developing high level MOOCs in law is necessary and beneficial for many reasons. Increased digitalization has changed the way legal services are conducted. Future lawyers ought to be competent and skilled to meet the needs of their clients, law firms and the court system. Knowledge delivery by MOOCs contributes to digitalized legal education with transferable digital competences and skills recognized by EQF. However, the lack of specific methodology in an e-course creation and performance caused by insufficient digital competences of the HE lecturers may impede the full capacity of legal knowledge transfer in a virtual environment. Implementing e-learning in legal education requires the systematic approach. It asks for the reassessment of the need for innovation in law learning methodology, need to departure towards open

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[55] Rubin, *op. cit.*, note 48.

[56] Kučina Softić; Rako, *op. cit.,* note 49.

and inclusive education grounded on e-learning, need to involve modern technology to HE process, need to advance digital skills of law teachers and law students, the need to deliver T(echnology)-shaped lawyers to the labour market. In terms of curricula, it asks for an in-depth assessment while technology does not affect all aspects of law and legal branches equally, but is innate to some.

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