

Research on Cultivation Mode of Applied Legal Talents of Independent College*

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Abstract The educational targets of applied legal talents of the independent college embody three aspects: firstly, make law major students have fundamental capability to engage in legal practice and theoretical work; secondly, make law major students have fundamental capability to adjust and serve the changing society; thirdly, make law major students have fundamental capability to prepare further studies. In order to achieve the targets, we should increase amount of core courses of jurisprudence, improve teaching method, enhance application of cases teaching method and discussion teaching method. Meanwhile, the comprehensive teaching structures, including the imitated court teaching mode, clinic legal teaching mode and practical base outside campus, should be established.

Key Words Independent college; Applied legal talents; Cultivation mode; Teaching method

1 Introduction

The cultivation mode of legal talents is constantly a core for legal education. There are four cultivation modes of legal talents in China at present, namely, legal-profession mode, practical mode, dual degree mode and mode of “2+2”. The modes have their advantages and disadvantages respectively, which have been researched adequately, so the paper will not repeat, whereas it concerns the mode of applied legal talents. The many independent colleges, appearing end of last century, provide major of jurisprudence but their cultivation mode just simply copy the mode applied by their parent universities or the traditional mode, without their own characteristics of cultivation. The paper, basing on research and questionnaires, attempts to find out an appropriate way for the independent colleges to cultivate applied talents.

2 Preliminary Work of Research

In the second half of 2008, we undertook the Guangdong Province High Education Teaching Reform Project, namely the *Cultivation Mode and Experiment of Private Independent College* and Sontan College Teaching Research Project, namely the *Research on Cultivation System of Legal Talents in Independent Colleges*. We established the team of applied legal talents cultivation project. In the more than one year, the team has carried out the following work:

2.1 Questionnaire survey about teaching method in students majoring in law

The team designs questionnaire survey whose content includes choosing tendency of legal-profession, studying target, teaching focus, teaching approach, teaching method and status of cases teaching method, and objects of the survey are grade-2008 students majoring in jurisprudence.

Through analysis of feedback to the questionnaire, the team considers that the students approved the current teaching method, specially the teachers' lively expression and coherence thinking. Meanwhile, they also gave pertinent suggestions for current teaching method from microcosmic aspect, such as requirements for writing on blackboard and choice of cases. Response to the answers of the questionnaire, the team believes that improvements of future teaching method of jurisprudence major are: 1. to take endeavor to change status of students' passive acceptance in the academic explanation; 2. to enrich academic teaching method; 3. to promote cases teaching method, and distinguish between the cases teaching and examples teaching; 4. to improve multimedia teaching method and pay attention to the combination multimedia teaching method with traditional teaching method; 5. to meliorate examples

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teaching method, and suggest college invest more in example teaching of jurisprudence and assist law major to set legal clinic and introduce the mode of clinic legal teaching.

2.2 To organize teachers to analyze the mode of whole cases teaching and reach consensus

The team organizes all teachers of jurisprudence-major to analyze how to improve the cultivation mode of applied legal talents. Through the discussion, the consensus that mode of whole cases teaching should be arranged in third year in college is reached, which have been adopted by the cultivation plan of grade-2009 talents. Particularly, there are three whole cases teaching courses, namely, civil and commercial law practice course, criminal law practice course and international economic law practice course. The three courses are set before the judicial exam and every course is taken charge by 2-3 teachers. They do researched, compile teaching material together ahead of the semester they will teach, which the team requires the teachers carry out the cases teaching method in whole teaching process according to characteristic of judicial exam that emphasize on analysis of cases.

The course design scheme has been written in the cultivation plan of grade-2009 talents.

2.3 To Organize teachers to analyze the theoretical teaching mode of main courses of law

The team organizes all teachers of jurisprudence-major to analyze mode of theoretical teaching of main courses of law, such as criminal law, civil law, jurisprudence, civil procedure law, criminal procedure law, etc. Through the discussion, the team believes that the courses are crucial for cultivation of fundamental quality of legal talents so it is necessary to pay sufficient attention in the stipulation and implementation of the cultivation plan of talents. In the plan, more teaching hours should be allowed so the criminal law and civil law in the 2009 plan consists of two parts, namely civil law (1) and civil law (2), criminal law (1) and criminal law (2), total 54 teaching hours for each part, so there are 108 teaching hours for civil law and criminal law, and teaching hours of other main courses also increase into 54 hours. In the process of teaching, only experienced teachers can be allowed to go to platform, and textbooks are top-quality and teaching materials are also checked and approved by dean of the department. The scores made by students are bases whether teachers continue to take charge of the courses.

2.4 To organize teachers to analyze process of practice teaching

The team organizes all teachers of jurisprudence-major to analyze process of practice teaching. Through the discussion, the team primarily reaches design of practice teaching process. Particularly, there include such following elements as, (1) to organize teachers with practice experience composed profession practice and teaching materials of procedure law practice; (2) to continue to improve imitated court teaching and teachers will organize more than 5 times every year; (3) to alter the current debate competition into imitated court and invite judges and lawyers to instruct; (4) to establish legal clinic and prepare to run legal service center in downtown of Zengcheng city, which apply cases in real life into teaching process.

Base on the above research and discussion, we have achieved preliminary result and we hope it is beneficial for independent colleges to establish mode of legal talents cultivation.

3 Target Orientation of Cultivation of Applied Legal Talents

The legal talents should be divided into applied legal talents and legal elites. The legal elites are legists or jurists who have gained outstanding achievement in legal practice and legal research, while the applied legal talents are professional talents who have proficiency in legal profession skills, are accomplished in basic legal knowledge and specialize in legal practice. Undoubtedly, cultivation target of the independent colleges, including Sontan College, should aim to cultivate applied legal talents with sound professional basis.

As Professor Su Li said, we should summarize Chinese experience and provide more choices for students. Therefore, when we amend the cultivation plan of grade-2009 talents, the target of cultivation is posited as following:

The major cultivates students to meet our country requirement of rule by law; they should have broad accomplishment of humanities and social sciences, profound fundamental legal theory, high quality of legal profession, strong competence to apply law, familiarity with Chinese law and policies and can engage in applying, teaching law or do legal researching in legislature, judicial department, procuratorial department, public security department, administrative department, arbitrate department, legal service organ, public service organ, enterprise and public institution.

Under the above objects, we also set specific cultivation object about students' competence:

There are three aspects of cultivation object: firstly, students will have foundational capability to engage in legal practice and theoretic work; secondly, students will have foundational capability to adjust and serve the changing society; thirdly, students will have foundational capability to do further studies.

In order to achieve the targets, we ascertain the following standards applied legal talents should achieve:

- (1) Students have high political integrity and favorable health and psychological quality; have confidence, enterprise and sense of responsibility; have well moral integrity, professional dedication, and team-work and initiative spirit.
- (2) Students can grasp fundamental knowledge of jurisprudence and sub-discipline.
- (3) Students can grasp method of legal analysis and have preliminary understanding for legal method of thinking.
- (4) Students can comprehend China's laws, regulations, judicial practice and relative policies.
- (5) Students can comprehend leading theoretical edge of Chinese and foreign jurisprudence and legal developmental trend.
- (6) Students can capability to apply legal knowledge to analyze and solve problems.
- (7) Students can grasp basic measure of documentary search and information selection, and have capability of legal teaching and researching.
- (8) Students can gain solid foundation of speaking, listening, writing and reading English, and skillfully operate computers.

4 Application of Cultivation Target of Applied Legal Talents---Investigation and Analysis of Teaching Method

4.1 The questionnaires for class of jurisprudence 1 and 3 of grade 2008 and its survey

4.1.1 The questionnaires and relative information collection

The questionnaires of teaching method of jurisprudence

(1) After graduate from college, which profession do you want to go most?

- A. Judge B. Public Procurator C. Lawyer D. Law Teacher
E. Legal Affair Personnel F. Administrative Personnel G. Other Legal Worker
H. Non- Legal Worker

Choices	A	B	C	D	E	F	G	H
Number	3	7	15	0	8	14	2	8
Percentage	5	12	26	0	14	25	4	14

(2) Do you believe which target is the most important for you during the college?

- A. Postgraduate Entrance Exams B. Judicial Exam
C. CET-6 D. Cultivation of Social Skill E. Others

Choices	A	B	C	D	E
Number	1	38	10	7	1 (Graduate)
Percentage	2	67	18	12	2

(3) Do you believe whether the current jurisprudence-major can attract you?

- A. Very Interesting B. Interesting C. A little Interesting D. No Interesting

Choices	A	B	C	D
Number	6	35	13	3
Percentage	11	61	23	5

(4) How long can you concentrate on studying in a class?

- A. About 45 minutes B. About 30 minutes C. 20 About 45 minutes
 D. About 10 minutes E. others

Choices	A	B	C	D	E
Number	7	25	14	9	2
Percentage	12	44	25	16	4

(5) Do you believe what affect your interest in courses?

- A. The courses are too abstract, theoretical and bald.
 B. The gloomy prospection of the major make students loses learning motivation.
 C. I am unconformable to the major.
 D. Teaching methods are not innovative and can not attract interest.
 E. The major is too hard to learn.

Choices	A	B	C	D	E
Number	36	17	10	20	18
Percentage	63	30	18	35	32

(6) Do you believe which teaching method about legal courses are familiar most?

- A. Theory Teaching Method: teachers instruct theoretical knowledge and present a few simple cases, and students passively accept them.
 B. Cases Teaching Method: the well-chosen cases will be analyzed by teachers
 C. Interactive Teaching Method: in classroom, teachers choose appropriate topics and there is interactive studying between teachers and students. The students do not passively study anymore.
 D. Classroom Discussion Teaching Method: teachers choose relative topics or controversial cases and divide students into several groups to discuss, and every group find out an opinion and finally they try to search consequence, while teachers only play a leading role.

Choices	A	B	C	D
Number	37	26	1	1
Percentage	65	46	2	2

(7) The above teaching methods, which one do you desire most?

Choices	A	B	C	D
Number	1	37	27	25
Percentage	2	65	47	44

(8) If provide suggestions of improvement for current teaching method of legal courses, your opinion is:

- A. teachers can apply plain terms to explain professional terms which are hard to understand.
 B. teachers can explain hard points with cases, especially cases of judicial cases.
 C. teachers should not be scripted whereas apply their own words to explain and ensure class in active surrounding.
 D. teachers should combine theoretical knowledge with practice, which inspire students to think cases happening in real lives.
 E. it is better that the cases teachers present are representative and practical.
 F. the synchronous exercises should be provided, which help students comprehend their learning.
 G. it is better there are interaction in classroom and teachers should comment on their discussion.
 H. teachers can apply multimedia to instruct.
 I. teachers should not give students relative information with final exam, which will play some students enthusiasm of studying down.
 J. the pre-professional courses should be arranged for fresh students, which make them have clearer understanding for characteristics of legal profession.

K. the appropriate extracurricular books should be recommended for students.

L. teachers pay attention to the introduction of the major, which is important to attract students' interests for the course.

M. shortages of the pure theoretical teaching are students are easy to forget after class even if they understand in class, because this teaching method can not impress student. So it is necessary to inspire students' motivation in classroom and impress them deeply.

N. teachers should point out key and difficult points, and leave some question for them to research.

O. the slow speed of words can benefit students to understand.

P. teachers draw fundamental structure in the first 15 minutes and review them at the last 10 minutes, while the relative exercises of every chapter should be provided.

4.1.2 The Purpose of the Questionnaires and Analysis of the Collection

Through answers of question 1 and 2, we can learn targeted students' motivation for legal courses and validate whether the courses are important in the Class 3. If they have enough motivation of studying, without strong effect of objective reason, we believe students should be able to accomplish their professional learning; while it is reasonable that students don't study or are not willing to study if they do not have sufficient motivation.

Through answers of question 3 and 4, we can learn targeted students' motivation for professional courses, which results directly reflect students' status in classrooms.

Through answers of question 5, 6 and 7, we can learn actual teaching way of professional courses and validate whether current teaching method is students' desire most.

The answers of question 8 reveals students' requirement for methods of professional courses teaching.

The analysis of answers of question 1 and 2: the students possess fundamental motivation to learn legal professional courses and their targets are explicit on the whole. Those are the best evidence that the 70% students treat to pass the judicial exam as their first aim while more than 60% students take legal profession as their future choice. Therefore, the students own strong actual motivation to study.

The analysis of answers of question 3 and 4: the result let us worried because of such differences of 16%. There are nearly 72% students are interested in the legal courses whereas only 56% of them can focus on studying for over 30 minutes in a class. In other word, nearly 16% students' interests in law can not promote their motivation into expected level. Furthermore, approximately 28% students are not interested in the courses. Maybe, some people believe the figure is still in low level whereas we can not ignore the targeted students are in the first-year, who usually hold fancy for the professional courses and when they go to the last year in college, it is not difficult to infer to how the figure will change.

The analysis of answers of question 5, 6 and 7: the sequence, from strong to weak, of elements which affect students' interests in studying is: The courses are too abstract, theoretical and bald 65%> Teaching methods are not innovative and can not attract interest 35% the figure is very close> The major is too hard to learn 32% > The gloomy prospection of the major make students loses learning motivation 30% > I am unconformable to the major 18%. The teaching method lists on the second. Though se with others, it still proves there are problems in current teaching method. The question 6 and 7 directly validate the above result and the methods that teachers usually apply are not what students expect. Maybe someone believes that the nature of jurisprudence decide this is only bald theoretical teaching method, even so do other colleges. This is wrong viewpoint and nothing can keep still. We should realize what kind of talents the society requires. To ignore social and students' requirements are a fatal problem of current high education.

The analysis of answers of question 8: Students offer many valuable opinions or suggestions. Improvement of all teaching methods is not eyeless and no one method is suitable for any legal class. Students' suggestions tell our teachers the teaching methods should vary according to different teaching targets and content.

4.2 Questionnaires and analysis of the class 1 of grade 2008

There are collections of investigation into the Class 1 of Grade 2008 as following:

The Questionnaires of Teaching Method of Jurisprudence

Question: Please offer your opinions or suggestions about teaching method of jurisprudence.

Feedback:

Positive Opinions:

- (1) Vivid words;
- (2) Clear train of thought
- (3) Living examples
- (4) Contagious words
- (5) Excellent cases analysis

Improvement:

- (1) Clearer writing on blackboard and complementarities of basic knowledge structure of every chapter;
- (2) Explain key knowledge with cases and it will be better to apply cases from the judicial exam or hotspot cases;
- (3) Make key and difficult point clear;
- (4) Learn knowledge

The analysis of the Questionnaires:

The students recognize current teaching method, mainly about teachers' vivid words and clear train of thought, etc., while they provide some pertinent suggestions, including writing on blackboard and choices of cases, etc. According to the suggestions, we have actively taken measures and acquired excellent effect and students also recognized it. We hold the idea it is necessary to investigate teaching methods carried by teachers because the teachers can receive reflection at the first place, which allow them to appropriately adjust their teaching method.

5 Conclusion

The existent problems in process of teaching improvement

It is hard work to adopt the cases teaching method in legal classrooms at present from the Sontan College cultivation plan.

Firstly, it requires improvement of hardware facilities. The following hardware facilities will be demanded, such as enough paper supply, classrooms with multimedia, appropriate cases teaching time in the course plan. Due to shortage of budge in the independent college, it is hard work to solve the problem. The classrooms with multimedia are arranged one semester ahead so it is often impossible to apply them for temporary teaching arrangement. In addition, it also requires certain amount of students. The limitation can not satisfy with flexible requirement in daily teaching. Cases teaching time is never considered in plan. Even there are 108 studying hours per year for the civil law whereas it is hard to carry out the cases teaching.

Secondly, the cases teaching method require breaking studying boundary between department laws in the process of teaching or studying. In the process, teachers or students usually choose cases concerning only one department law. Even if the cases relate with several department laws, they always concentrate on only one and ignore others. Obviously the consequence of the way is that students can not analyze whole cases whereas they will face complicated cases often involving in different department laws after they graduate. So it is crucial to provide students opportunities to "real" cases in classrooms. Meanwhile, we don't believe that our country's legislative system influenced by the continental law can not attach importance on application of real cases teaching method. A appropriate case can not only help students realize specific legal system, but forge their logic thinking ability and shape faith in law through analysis of cases.

Thirdly, if the cases teaching method is applied at present, choice of the cases is crucial and sufficient classic cases are precondition for the cases teaching method. The difficulty of the cases is appropriate. Too easy cases will not leave proper room for students to analyze while too difficult will frustrate them and the class will become teachers' monologue, which we are not willing to see. Where can we find the appropriate cases? It is hard nut to crack. Because relevant textbooks are not easy to find, we believe that teachers establish research team of relative department law, who not take responsibility to study their courses but collect cases. We elaborately choose some cases and modify them appropriately, and is eventually suitable for cases teaching method.

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