

# LEGALFOXES LAW TIMES

## A STUDY ON THE LEGAL EDUCATION IN INDIA AFTER COVID19 PANDEMIC

By Dr. B. Sravanthi

### Abstract:

Advocates or lawyers were treated as social engineers, lawyers lab is society. But the society was under lockdown from March 24, 2020, Prime Minister Narendra Modi called for a complete lockdown of the entire nation for 21 days in an effort to contain the COVID-19 pandemic.<sup>1</sup> Everyone was at home only for so many days. Covid 19 affected society badly. The lifestyles of human beings were changed drastically. Especially education from KG to PG was in question marks. Legal education is also no exception to it. As we all know learning law course requires practical exposure, like visiting trial courts, practicing for moot court presentations, visiting advocate offices, and client interviews, etc. due to covid 19 total education pedagogy has been changed. Virtual classrooms came into existence in place of physical classrooms. Evaluation patterns also changed to online methods, even practical papers are evaluated through online methods like Zoom, Google meets, MS office teams, etc., and plot forms. In this context, the present paper attempts to know the effect on legal education after covid19 in India.



**Key words:** legal education, covid 19, learning patters.

### Introduction:

Covid 19 pandemic affected the whole world like anything which was happening in 200 years back. It affected the lives and livelihoods of human beings, though out the world including India. However the most affected policy is education policy, i.e., KG to PG education, legal education is also no exception to it. As per the BCI guidelines, legal education should be associated with clinical approaches, like attending legal aid clinics, trial court visits, moot court problems, client interviews, and advocate office visits, etc. due to covid 19 the physical mode of teaching shifted to online mode teaching. Which raised so many issues and challenges for teachers as well as students. Teaching and learning methods have been changed. As we all know India ranked 107 out of 121 countries that could be ranked and a total of 136 nations that were assessed.<sup>2</sup> so many students were denied access to online classes to purchase smart mobile phones to access online classes. Not only students' teachers also suffered a lot in organizing online classes through

Zoom, google meets, MS Office teams, etc. Online platforms and attracting students to attend classes through online mode faced problems in getting feedback.

---

Assistant Professor of Law, Department of Law, Telangana university, Dichpally, Nizamabad 503322, Sravanthi.legal@gmail.com

**Objectives of the study:**

In the above context, the main objective of the study is to assess the impact of covid 19 pandemic on legal education in India. However, the specific objectives are as follows:

- To analyze the impact of covid 19 pandemic in a clinical study of legal education like trial court visits, moot court presentations, advocate office visits, and client interviews.
- Recommend measures to overcome the issues and challenges of legal education after covid 19 pandemic.

**Scope of the study:**

The scope of the study will be limited to, the impact of covid 19 in India. Special exposure, such as online classroom learning, virtual class infrastructure, online internships, moot court presentation in online mode, and associated practical exposure of the students through online mode will be the main focus of the study.

**Methodology**

The study is mainly based on secondary data. The methodology for the present study is doctrinal research.

**Literature review:**

In a research paper on Recording the New Renaissance: Legal Education and Legal Profession During and After COVID-19 (Raj Kumar, C., Sreejith, S.G. 2022) the author has identified the opportunities in legal education during and after covid 19. The transformation of the educational sector into digital technology means is indeed a significant development (Giorgio Resta 2022).

In another study, the author Christian Sundquist has studied The disruption to law schools caused by the COVID-19 pandemic has been massive. Faculty, administrators, and students were forced to abruptly transition from more traditional teaching methodologies (such as in-person instruction with generally limited online course opportunities) to remote learning platforms (both synchronous and asynchronous) in the middle of the spring 2020 semester(Christian Sundquist 2020).

Another empirical study has identified the difficulties of law students during the transition to remote learning, although the majority of students were satisfied with the remote learning arrangements, a substantial number of students were unhappy with the virtual mode of learning (Tylor 2021).

### **Regulatory body of legal education:**

The Bar Council of India is a statutory body that regulates and represents the Indian bar. It was created by Parliament under the Advocates Act, 1961. It prescribes standards of professional conduct and etiquette and exercises disciplinary jurisdiction. It sets standards for legal education and grants recognition to Universities whose degree will serve as a qualification for students to enroll themselves as advocates upon graduation. In addition, it performs certain representative functions of protecting the rights, privileges and interests of advocates and through the creation of funds for providing financial assistance to organize welfare schemes for them. The main objective intended was to control and govern the working of all immediate subsidiary state-level bar councils besides laying down the standards of professional conduct and etiquette.<sup>3</sup>

It's the purview of the Ministry of Law and Justice, the Government of India, and it's a corporation with a perpetual estate and a common seal. The Bar Council of India has constituted several committees such as the Education Committee, the Disciplinary Committees, the Executive Committee, the Legal Aid Committee, the Advocates Welfare Fund Committee, the Rules Committee and various other Committees formed to look after the specific issues arising from time to time.<sup>4</sup>



### **Committees**

The Bar Council of India has various committees that make recommendations to the Council. The members of those committees are elected to the Council. The Advocates Act mandates the creation of a Disciplinary Committee (under section 9), a Legal Education Committee, and an Executive Committee (under section 10). Chapter III of the Bar Council of India Rules, permits the Council to appoint from amongst its members, one or more committees in addition to those specified in the Act. The Council can delegate the powers, duties, and functions of these committees.<sup>5</sup>

### **Legal Education Committee**

The Legal Education Committee consists of five members of the Bar Council of India and five co-opted members to represent the judiciary, the Law Ministry, the University Grants Commission, and academia. This committee makes recommendations to the Bar Council of India on all matters pertaining to legal education in the country. The committee elects its own Chairman.

**The Legal Education Committee has the power:**

1. To make recommendations to the Council for laying down the standards of legal education for Universities.
2. To visit and inspect Universities and report the results to the Council.
3. To recommend to the Council the conditions subject to which foreign qualification in law obtained by persons other than citizens of India may be recognised.
4. To recommend to the Council for recognition of any degree in law of any University in the territory of India.
5. To recommend the discontinuance of recognition of any University already made by the Council.<sup>6</sup>

**Implications after covid 19 on legal education:**

After the lockdown Bar council of India issued guidelines to be followed by the universities for legal education. The primary concept is shifting offline classes to online classes, including clinical activities like trial court visits, advocate office visits, client interviews, moot court presentations, and drafting and pleading technics.

As per the directions and guidelines of BCI, the law universities were switched to online classes in place of old practices. Due to this sudden change in teaching, and learning systems the teaching fraternity and student community faced a lot of problems like internet issues, teachers being unable to concentrate on each and every student in offline classes, preparation of online materials, students unable to access online classes due to not having smartphones, etc.

**Issues regarding skill-based learning**

In legal education has to undertake internship programs like court visits, advocate office visits, client interviews, and legal office visits. These were undertaken virtually. The students lost connection and focus with the academic environment and supervision of teachers like in offline mode. There is no clarity in teaching and learning styles. Due to this, all were denied practical exposure, i.e., skill-based learning.

**Issues regarding pedagogy**

Covid 19 badly affected the pedagogy of legal education. It created new challenges for the teachers to adjust to the new style of teaching and learning pedagogy. Difficulty in virtual language, computer technics, and new methods of student assessment and evaluation patterns.

**Impact of covid19 on clinical legal education**

Clinical legal education is a modern legal pedagogy conducted under the guidance and supervision of experienced law practitioners and law clinics. With this approach, students can understand the importance of practical skills, and be able to think in different ways to connect with legal fraternity. As part of legal education every student should learn skills in drafting, pleading, and conveyance, arbitration, and mediation as a clinical approach to learning. Due to covid, the clinical learning process was incredibly affected. Those students who are pursuing their final year were denied to access courts, interaction with judges, and access to different agencies, and personalities for their clinical approach to learning. As a result, the quality of legal education was critically endangered.

**Impact on student evaluation:**

In addition to clinical education, the examination and evaluation of students were complicated. Universities implemented online examinations in different methods like MCQ, Essay type questions. This type of examination severely compromised the quality of the evaluation process. Neither the examiners nor the students were familiar with this type of examination through online mode. Few universities used their software but most of the universities used google meet, zoom, MS teams, and WebEx for the examination of the students. This leads to malpractices. But after covid 19 universities again adopted regular methods of evaluation.

**Advantages and disadvantages of online legal education**

Online legal education is a double-edged sword. It has its own benefits to learn so many these through technology in sitting at home, but so many students are denied access to online classes because of unaffordable to people below the poverty line or have poor connectivity in internet connections.

**Suggestions:**

Covid 19 created unpleasant challenges for legal education, teaching, and research. This new challenge needs more attention regarding data privacy, storage, management, and information technology. As these are not covered under the legal education curriculum BCI must take measures to meet the requirement and recommend adopting the required syllabus in legal education. With regard to clinical education, legal aid clinics should be active to inculcate practical knowledge in the younger generation of the legal fraternity. Eminent personalities should be appointed as visiting faculties in universities leads to good practical knowledge for the younger generation through the experience of seniors in the field of law. It is suggested to Mandatory attendance in various moot court competition which leads the exposure in drafting and argument skills.

**Conclusion:**

The covid 19 has extremely affected the education system throughout the world including India. Legal education is no exception for it. A huge number of students were denied to access online classes because of various reasons. Teachers and students were affected seriously without proper training on online technologies and teaching, learning methods, and evaluation process. However, the online teaching-learning process tells us a lesson to adapt to new technologies and pedagogy in the legal education system.

Taking into consideration of the global situation, the regulatory body needs to adopt best practices of importing quality in legal education to meet the issues and challenges after Covid 19 also.

#### REFERENCES:

1. <https://economictimes.indiatimes.com/news/india/one-year-since-a-complete-lockdown-was-announced-we-look-back-on-how-india-fought-covid/first-lockdown-announced/slideshow/81662838.cms> on 07/12/2022
2. <https://www.thequint.com/explainers/india-ranking-global-hunger-index-2022-ghi-government-starvation-poverty> on 07/12/2022.
3. [https://www.academia.edu/35096016/BAR\\_COUNCIL\\_OF\\_INDIA](https://www.academia.edu/35096016/BAR_COUNCIL_OF_INDIA) on 08/12/2022
4. Ibid
5. Ibid
6. Ibid
7. Raj Kumar, C., Sreejith, S.G. (2022). Recording the New Renaissance: Legal Education and Legal Profession During and After COVID-19. In: Raj Kumar, C., Sreejith, S. (eds) Legal Education and Legal Profession During and After COVID-19. Springer, Singapore. [https://doi.org/10.1007/978-981-19-2568-9\\_1](https://doi.org/10.1007/978-981-19-2568-9_1)
8. Resta, G. (2022). Overcoming the Boundaries of Legal Education: How to Make Sense of the Pandemic. In: Raj Kumar, C., Sreejith, S. (eds) Legal Education and Legal Profession During and After COVID-19. Springer, Singapore. [https://doi.org/10.1007/978-981-19-2568-9\\_2](https://doi.org/10.1007/978-981-19-2568-9_2)
9. <https://connecticutlawreview.law.uconn.edu/wp-content/uploads/sites/2747/2021/03/The-Future-of-Law-Schools-Covid-19-Technology-and-Social-Justice.pdf>
10. <http://www.barcouncilofindia.org/press-release-dated-09-06-2020-guidelines-for-online-and-offline-examinations-for-all-the-centres-of-legal-education-cle-by-bar-council-of-india-in-continuation-of-the-earlier-guidelines-dated-27-0/> on 08/12/2022
11. <https://acadpubl.eu/hub/2018-120-5/2/136.pdf> 08/12/2022