

SOME ASPECTS OF CASE METHOD USE IN THE PROCESS OF TRAINING OF FUTURE LAWYERS

ДЕЯКІ АСПЕКТИ ВИКОРИСТАННЯ КЕЙС-МЕТОДУ В ПРОЦЕСІ ПІДГОТОВКИ МАЙБУТНІХ ЮРИСТІВ

The article is devoted to the analysis of one of the main interactive methods which allows bringing the learning process as close as possible to practice – the case method. The article examines the peculiarities of using the case method in the process of teaching a foreign language in higher educational institutions for students of legal specialties. Different approaches of foreign and domestic scientists to the interpretation of the concept of "case method" are analyzed. The analysis of scientific sources on the research topic helped formulate the definition of the concept of "case method". The stages and principles of creating a case and its types are considered. The general method of working with cases is described, since meeting the goals and tasks of classes using case technology depends precisely on the correct planning and organization of them. The article notes that due to the wide variety of types of cases, as well as approaches to their classification, cases can be developed depending on the goals and tasks set by the teacher. It is stated that the important factors for the implementation of the case method in teaching English for students of legal specialties are the consistent organization of educational activities and the careful selection of materials for cases that require thorough training of the teacher with mandatory consideration of the level of communication skills of students. The examples of cases that can be used in the process of mastering a professional foreign language by future lawyers are given. An overview of the main advantages and disadvantages of the application of the studied method made it possible to substantiate the importance of the case method as an effective tool for the formation of professional competence in the study of the English language and the development of communicative and creative skills of students. It was found that the use of the case method in teaching English contributes to increasing students' interest in a foreign language by considering specific professional situations related to real life.

Key words: case method, foreign language, foreign language communicative competence, interactive method, situational exercises, future lawyers.

Стаття присвячена аналізу одного із основних інтерактивних методів, який дозволяє

максимально наблизити процес навчання до практики – кейс-методу. У статті розглянуто особливості використання кейс-методу у процесі викладання іноземної мови у закладах вищої освіти для студентів юридичних спеціальностей. Проаналізовано різні підходи зарубіжних та вітчизняних вчених до трактування поняття «кейс-метод». Аналіз наукових джерел з досліджуваної теми допоміг сформулювати визначення поняття «кейс-метод». Розглянуто етапи та принципи створення кейсу, його види. Описано загальну методику роботи з кейсами, оскільки саме від правильного планування та організації залежить ефективність виконання поставлених цілей та завдань заняття з використанням кейс-технології. У статті зазначається, що через велику різноманітність видів кейсів, а також підходів до їх класифікації, кейси можна розробляти залежно від цілей та завдань, які встановлює викладач. Зазначено, що важливими факторами для впровадження кейс-методу у викладанні англійської мови для здобувачів юридичних спеціальностей є послідовна організація навчальної діяльності та ретельний підбір матеріалів для кейсів, що потребують ґрунтовної підготовки викладача з обов'язковим врахуванням рівня комунікативних навичок студентів. Наведено приклади кейсів, які можна застосовувати у процесі опанування фаховою іноземною мовою майбутніми юристами. Огляд основних переваг та недоліків застосування досліджуваного методу дозволив обґрунтувати важливість кейс-методу як ефективного інструменту для формування професійної компетентності у вивченні англійської мови та розвитку комунікативних та творчих вмінь студентів. Виявлено, що використання кейс-методу при навчанні іноземної мови сприяє підвищенню інтересу студентів до неї шляхом розгляду конкретних професійних ситуацій, пов'язаних з реальним життям.

Ключові слова: кейс-метод, іноземна мова, іншомовна комунікативна компетенція, інтерактивний метод, ситуаційні вправи, майбутні юристи.

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Introduction. The formation of the modern educational sphere is significantly influenced by the global development of technologies and their penetration into various spheres of social life. The modern labor market needs new specialists who can "keep up with the times", respond to the challenges and changes posed by modern society, making a worthy competition on the international and domestic labor markets. All this contributes to the reorientation of higher education from general to more specialized one. In this context, as a means of business communication, a foreign language acquires primary importance in higher

education of Ukraine. That is why there is an urgent need for future specialists of non-linguistic specialties to master the normative basis of the functioning of the English language in communicative and speech situations in various spheres of professional activity. For law students, foreign language communication is extremely important for successful career growth.

The modern educational process requires the use of innovative educational methods, including the case method, which is considered one of the most effective methods, allowing applying theoretical knowledge to solving practical problems.

Analysis of recent research and publications.

Many domestic and foreign scientists have studied the case method. Such foreign scientists as J. Erskin, M. Linders, P. Hutchings, R. Lewis, R. Merry, J. Reynolds, M. Stanford and others dealt with this issue. Among domestic teachers, V. Haluziak, M. Smetanskyi, O. Shovkoplias, Z. Yuldashev and others touched on this problem.

The purpose of the research is to reveal the essence of case technology and to develop the main provisions of implementing case technology in the process of educational and cognitive activity in the preparation of future lawyers, in particular, in the study of a foreign language, as a means of forming their professional communicative competence.

Presenting the main material. The essence of the case method is to use real cases and situations for joint analysis, discussion and decision-making regarding the solution of this or that problem. For the first time, the term "case study method" was used at the beginning of the 20th century, and in 1921 this method gained practical application at the Harvard Business School, where the first case situations were developed for teaching business students. From a methodological point of view, a case is a specially prepared educational material containing a structured description of situations borrowed from real practice. In contrast to traditional forms of education, the center of attention in applying the case method shifts from the process of knowledge transfer to the development of analysis and decision-making skills [2, p. 182].

The case study method is the most interesting because it provides practice-oriented learning of a foreign language and involves the development of speaking skills, text analysis, memorizing new words, collective discussion of the situation and individual formulation of conclusions in a foreign language. Students have a real opportunity to communicate in a foreign language in the process of interacting with other group members and the teacher. All scientists claim that any case assignment should develop students' creative abilities, be professionally oriented, have scientific justification and connections with other subjects studied by the student. Case methods, when properly applied, are closely intertwined with problem-based learning, learning in small groups, and independent work of students.

All cases can be conditionally divided into: scientific and research, oriented to the implementation of search activity; practical, which reflect real life situations; educational, the task of which is the organization of the educational process.

The research case serves as a model for obtaining new knowledge about the situation and behavior in it. Its educational function is reduced to teaching the skills of scientific research using the modeling method.

The practical case aims at a detailed reflection of the life situation. Thus, this case creates a practical model of the situation. The educational purpose of the practical case is to train students on this lexical-grammatical topic, consolidate knowledge, abilities and skills, make decisions in a specific language situation.

The study case reflects typical language situations that are most often encountered in real life, and which the student will have to face in professional activities. At the same time, educational and educational tasks come first. Any case contains: a situation (any problem, story from real life, incident); the context of the situation (historical, chronological, features of the actions of the participants in the situation); comments on the situation; tasks for working with the case; appendixes.

It is important to remember that each of the situations considered in the case must meet four conditions: 1) truthfulness and realism without overloading with details; 2) consideration of phenomena that people face in specific conditions; 3) sharpening the students' interest in the issues that arise before them, emphasizing their significance; 4) improvement of practical skills; directing the search for appropriate ways, possible reactions to various situations, the use of specific tools and concepts [1, p. 26].

The structure of the case method is based on the fact that students encounter a specific case taken from practice. Then, discussing this case in English, they look for alternatives to its solution, propose their own version of the solution, which is clearly justified, and then compare it with the solution that was adopted in practice. There is no one right solution, so after the presentations, a better solution can be chosen. That is, solving a case means intellectually working out, working out the initial conditions of the problem and contradictions (uncertainties) embedded in the conditions of the case and forming a corresponding professional vision.

The method of working with cases consists of some stages. At the first stage, psychological and communicative training of participants is carried out, working groups are formed (participants with roles, experts). Participants are provided with all the necessary information about the logic, procedure and rules of work. Familiarity with the toolkit offered for solving tasks takes place.

The second stage is diagnostic. Participants independently identify the characteristics of problems, tasks, situations presented in the cases, systematize information about the actors of the situations. An initial analysis of the interests, motives, goals, actions, and actions of the characters takes place. Tasks of everyone who solves the case: a) put forward the maximum possible number of hypotheses for solving the case; b) to think of ways and techniques of testing the put forward hypotheses; c) prepare a plan-program of a

conversation with a visa to solve the problem laid out in the case [3, p. 26].

At the third stage, the participants "lose" the case. At the fourth stage, there is a discussion and reflection of the solved case. The subject of analysis here is the general course of solving cases, reflection of the obtained results and skills for using them in future professional activities.

Foreign language lessons using the case method can be built according to the following principle: "Starting up", the purpose of which is to practice vocabulary and speaking skills; "Listening", aimed at developing the skills of perceiving information by ear; "Reading", aimed at developing the skills of understanding the text in English and mastering new lexical items; "grammar review" (Language Review); "Case Study", where a description of the topic raised at the beginning of the lesson is given.

We will give several examples that can be used in the process of learning a foreign language by future lawyers. For example, when studying the topic "Civil Law", you can offer to consider the following real situations from foreign legal practice and offer to solve certain problematic issues.

Situation 1.

Jury finds for the plaintiff

Carol Stingel successfully sued former ATSC chair Geoff Clark for assault. In February 2007, a County Court jury of three men and three women found, on the balance of probabilities, that Geoff Clark had led two pack rapes against her in 1971 when she was 16 years old. The jury ordered Clark to pay \$20 000 in damages and \$70 000 in legal costs. After the case was closed, Stingel said that she had got control of her life back. Clark failed to pay the damages owed to Ms Stingel and in June 2009 voluntarily declared himself bankrupt.

Possible problematic questions for this case:

a) Is this case a criminal case or a civil case? Explain. In your explanation point out all the words that influenced your decision; b) What is the outcome of this case?

Situation 2.

A duty of care

A public authority that encourages the public to participate in activities on its reserves or areas set aside for public use has a duty to take care to alleviate foreseeable risk of injury to visiting members of the public. In Nagle v. Rottneest Island Authority (1993) 177 CL R 423, the local authority was found to be negligent and ordered to pay compensation to the plaintiff. The plaintiff became a quadriplegic after diving from a rock ledge and striking submerged rocks. A majority of the High Court found that it was reasonably foreseeable that a reasonable person may choose to dive from the rocks and the local authority should have given a warning to members of the public that the ledge was unsafe for diving.

In the case of Prast v. Town of Cottesloe (unreported) WASCA 274, 22 September 2000, the Full Court of the Supreme Court of Western Australia found that there was no need to warn the public of the ordinary risks involved in body-surfing. The plaintiff in this case became a quadriplegic after being dumped when bodysurfing at a beach controlled by the local authority. There was no evidence of other similar injuries occurring at the beach, and the plaintiff was an experienced swimmer and body-surfer. The court distinguished this case from previous diving cases saying that in the diving cases there was a need to warn people about hidden dangers involving serious risks. Whereas, in the body-surfing case, the danger of being hurled onto the seabed, out of control, by a wave that turns out to be a dumper was obvious to all who were involved in the sport. It was, therefore, found that the authority was not obliged to warn body-surfers of the risks involved. In this case the public authority was entitled to rely on the commonsense, skill and experience of visitors to take reasonable care for their own safety.

Possible questions for discussion: *a) When is a duty of care owed? b) In what way was the second case distinguished from the first? c) How was the duty of care breached in the first case? d) Do you agree that there should have been a warning in the first case and not in the second? Explain.*

The use of cases requires appropriate training not only of students, but also of teachers. Effective use of the case requires careful planning from teachers. Researcher D. Thomas in his work "Case Studies for ELT: a source of motivation" offers the following algorithm for developing case method situations: 1) find a topic that interests students; 2) work out the necessary links on this topic; 3) outline the problem and think through its aspects; 4) put the main aspects on paper [4].

In addition, the effectiveness of the teacher implementing the case method is related to the implementation of the following principles: 1) partnership, cooperation with students; 2) use of the latest achievements of pedagogical science and the experience of colleagues; 3) creativity (transformation of cases into an individually unique creative product, strengthening the role of creativity, improvisation during training) [1, p. 120].

The use of the case method in learning English has many advantages. In our opinion, the main advantages of the case method in learning a foreign language are: increasing the level of knowledge of a foreign language in general; the use of terms in conversational situations, which contributes to their more effective memorization; development of creative thinking; development of presentation skills (ability to publicly present one's work in a foreign language); improving the skills of formulating different types of questions; development of the ability to

lead a discussion, to argue answers, which contributes to the development of language without relying on a ready-made text; improvement of professional reading skills in a foreign language; the ability to fully involve students in individual and group work.

However, like any method, the case method also has its drawbacks and difficulties in use. First, there is the difficulty of finding the necessary materials for creating a case and the long duration of time for thorough preparation. Secondly, there is the problem of forming a stereotypical solution to the proposed problems, which can lead to stereotyped answers from students.

Despite the difficulties in applying this method, it has invaluable benefits and positive results when using it in the process of learning a foreign language. This method concentrates significant achievements of the technology of "creating success". It provides activities to activate those who are taught, stimulate their success, emphasize achievements. Achieving success is one of the main driving forces of the method, the formation of stable positive motivation and the development of cognitive activity.

Conclusions and prospects for further research. The use of the case method in the process

of learning English contributes to the formation of future specialists of legal specialties in the ability to think critically, adequately assess the situation, quickly make decisions, improving communication skills. Since this method is complex and includes all types of speech activity: reading, speaking, writing, listening, it can be successfully used in teaching a foreign language in institutions of higher education, training the ability of students to apply all the above-mentioned competencies for the effective use of a foreign language in their further professional career.

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