

Research on the Specificity, Orderliness, and Effectiveness of Legal Clinic Education

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Abstract: With the continuous development of legal education, legal clinic education, as one of the most practical activity-based courses, first originated in the United States. However, it is now being vigorously promoted and implemented in many law schools across universities in China. Many law schools have been running legal clinics for years with significant results. Through participating in the KINDALL Legal Clinic activities for three years, the author has gained a wealth of experience and conducted research to pursue a more valuable and engaging model of legal education. This research involves theoretical study and discussion, action research, and social practice, aiming to develop a "three-in-one" integrated model of legal clinic education. The findings indicate that this model makes legal clinic education more tangible, orderly, and effective. As a result, legal clinics play a greater functional role, becoming a tangible way for students to enter the legal field, an orderly platform for students to enrich their legal practice continuously, and an effective ground for students to display their talents.

Keywords: Legal Education; Legal Clinic; Legal Clinic Education; Clinical Legal Education; Tangibility, Orderliness and Effectiveness

1. Introduction

Legal clinic education, which originated in the United States and is one of the most effective practical legal activity courses, has been continuously developing. Jerome N. Frank, an American legal educator and lawyer, proposed and established legal clinic education in the mid-20th century. Through his extensive legal career, he deeply recognized the shortcomings of traditional American legal education and boldly put forward a creative concept of replacing law schools with "practical lawyering schools." This idea evolved into the vibrant clinical legal

education model in today's American law schools, making legal clinics a paradigm of legal education[1,2]. As legal education continues to develop in China, many university law schools are now vigorously promoting and establishing various types of legal clinics, yielding notable results. As a member of the KINDALL Legal Clinic at Law School, Fujian University of Technology, I have gained significant experience through three years of participation in clinic activities. Reflecting on the achievements and experiences, I have pondered the nature of legal clinic education: Legal clinics, inspired by medical school clinics, aim to enhance law students' legal literacy and practical skills, distinguishing themselves from purely classroom-based education with their strong practical focus. However, can they also pursue a more valuable, engaging legal education model? What should a legal clinic look like? How should it be conducted? What should it achieve? While these questions are typically considered by educators, students—the direct recipients of this education—also find it meaningful and compelling to explore these issues. Using methods such as theoretical study, discussion, action research, and social practice, I have explored and proposed a more valuable and engaging model of legal education: the "Three-In-One" integrated legal clinic education model that is more tangible, orderly, and effective. This model enhances the functionality of legal clinics, making them a tangible gateway for students to enter the legal field, an orderly platform for continuously enriching legal practice, and an effective stage for students to showcase their talents. Practice has shown that this is indeed a substantial and well-structured legal education approach, worthy of in-depth research.

2. Legal Clinics: Making Legal Education More Tangible

2.1 The Necessity of Pursuing Tangible Legal

Education

"Tangible" refers to entities that have a physical form and can be perceived by the senses, essentially meaning concrete and observable objects. Philosophically, "tangible" and "intangible" are common opposing concepts used to describe the existence and nature of things. Tangible often refers to materials or entities that can be directly perceived and measured by human sensory organs such as the eyes and ears. For example, mountains, rivers, the sun, the moon, and clouds are tangible entities with definite shapes or forms. Similarly, a legal clinic, although not a street-side medical clinic, possesses the concrete physical attributes of tangible assets, such as having people, names, content, and operational elements and objects. This represents a form of "non-productive" tangible asset that, while it may not be directly perceived by the senses, objectively exists. Comparable to air, patents, trademarks, or even emotions like joy and sorrow, its tangible reality can be sensed from its intangible form. These non-material or energetic forms can be perceived through physical or psychological senses, thus confirming their tangible reality. A legal clinic, though intangible in a traditional sense, can be made visible and tangible through practical application, becoming a perceivable and actionable model of legal education [3]. This tangible nature is a fundamental characteristic, aiming to provide students with legal experience and practical skills.

2.2 The Development of Legal Clinic Education in China

2.2.1 The establishment of legal clinics has become an important supplement legal education in Chinese universities

According to relevant statistics, over 600 universities in China currently offer law programs, with 118 of these universities participating in and becoming members of the Clinical Legal Education Committee of China. More than 70 of these institutions have established legal clinics. Such widespread implementation of legal clinic courses demonstrates a strong presence within the realm of legal education in Chinese universities. Universities legal clinics and their courses have evolved into a form of clinical legal education, seeking to develop their own unique characteristics. This development provides numerous schools with a new practical teaching

method, aligning with their distinct educational approaches. By establishing legal clinics and integrating them into their curricula, these universities offer a novel approach to experiential learning in legal education[4,5].

2.2.2 Undergraduate legal clinics have been customized to align with the specific majors offered by various institutions.

Currently, many law schools in China are actively cooperating with their respective institutions to make flexible adjustments and specific designs to their teaching content, incorporating relevant majors into the corresponding legal clinic content, reflecting or directly establishing specialized legal clinics. For instance, forestry universities have set up legal clinics focusing on forestry disputes and environmental protection, while agricultural universities concentrate on rural legal issues. Engineering universities prioritize engineering law, and local universities establish community, administrative and intellectual property legal clinics, emphasizing local characteristics and strengthening local legal systems. Universities specializing in geology, oceanography, economics, environmental protection, and economics have also established specialized legal clinics as a platform to cultivate a new concept of law education. [6]

2.2.3 Alleviating or overcoming the current challenges in practical legal education

Common practical teaching activities in law programs include internships, moot courts, and social surveys. However, most students are often preoccupied with preparations for graduate school entrance exams, civil service exams, bar exams, and job hunting, making it difficult for schools to organize unified internships. Consequently, students frequently opt for scattered or individual internships. It has been observed that these scattered internships are often informal and substandard, rendering them ineffective. Transforming these uncoordinated individual internships into a structured learning format organized by the school can lend authenticity and effectiveness to students' practical activities. Legal clinic education, characterized by its dispersed yet cohesive nature, serves as an ideal remedy for the deficiencies of uncoordinated practical activities. This integrated approach can help alleviate and overcome the difficulties currently faced in practical legal education within universities. [7]

2.2.4 Enhancing the practical core functions of

university law programs

As is well known, the goal of legal education is to cultivate students into skilled legal professionals. Through well-structured, rigorous, and effective vocational training, students can master practical legal skills and techniques, enabling them to adeptly handle the complex conflicts that arise in society. This is precisely the practical activity platform that a legal clinic can provide. Such legal clinics not only foster critical legal thinking but also enhance and develop legal skills. They reinforce and expand capabilities in areas such as case acceptance, research, interviews, consultations, fact-finding, negotiations, meetings with clients and witnesses, cross-examinations, legal document drafting, court representation, and legal advocacy. Ultimately, this comprehensive training produces outstanding legal professionals who possess the experience, wisdom, and ability to independently and accurately handle cases.

3. Orderliness: A Platform to Ensure the Practical Implementation of Legal Clinic Activities

3.1 Orderliness and Feasibility are the Reliable Guarantees for the Practical Implementation of Legal Clinic Activities

Orderliness refers to the regular arrangement, combination, movement, and transformation of the constituent elements of a system, the internal elements of things, or the relationships between things, including structural order and dynamic order. Because "orderly" inherently includes "constituent elements," it is more "binding" and exhibits "regularity," having a "tendency toward consistency" and conforming to the "tendency of existence." Here, "order" refers to orderliness. In terms of legal clinic education, orderliness is serialization. Serialization is both a description of a static state and a characteristic of pursuing order in dynamic changes, enabling things to continuously transform from disorder to order, thus achieving a purpose that conforms to the laws of development. This is serialization, and it is also the characteristic of pursuing order in dynamic changes. The orderliness mentioned here also includes sequence and coherence, not only referring to a certain sequence but also paying particular attention to its "coherence," meaning that the activities have a sequence and can be organized into a coherent whole. In short, conducting legal clinic activities in an orderly

manner reflects the orderliness of the laws governing legal clinic activities. We advocate that legal clinic education should fully embody orderliness: First, the orderliness of the activity process: unifying learning, research, and practice; second, conducting activities in an orderly manner around and addressing problems: identifying problems, analyzing problems, and solving problems; third, the orderliness of borrowing the medical model of diagnosis and treatment: inquiring about symptoms and prescribing treatment according to symptoms (causes).

Law School, Fujian University of Technology actively conducts legal clinic activities in an orderly manner. Firstly, this involves understanding and learning from Professor LIANG Kaibin's course on "Legal Clinic Education". The course, which he oversees, has been highly effective and has been recognized as a national first-class undergraduate course as well as a top undergraduate course in Fujian Province. The law school's legal clinic has been designated as a national exemplary legal clinic by the Legal Education Research Committee of the China Law Society, and Professor Liang has been honored as a national outstanding legal clinic teacher. The clinic curriculum progresses from classroom teaching to legal practice, presenting a three-stage sequence of learning → discussion → practice. This approach ensures that students not only grasp legal knowledge but also enhance their practical skills.. [8]

3.2 Sequential Participation in Legal clinic Activities: An Outpatient Clinic Model

3.2.1 Fostering self-directed learning in a clinic setting: adroitly addressing complex legal concepts

For several years, as a member of the legal clinic of the law school, I have actively participated in targeted legal clinic learning and discussions. My greatest gain is that, under clinic-style legal education, I have developed a clearer and more accurate understanding of some previously "obscure" legal concepts. For example, the relationship between international law and domestic law initially seemed complex and difficult to understand. However, after repeated comparisons, I have gained a clear understanding that the two are both distinct and interconnected. International law is legally binding on states but cannot be directly applied domestically; it requires transformation or

adoption into domestic law to be effective. It is primarily maintained through the collective will of the international community and organized international enforcement bodies and is primarily established through international agreements and customs. International law also respects state sovereignty and cannot interfere with the formulation and implementation of domestic law. Domestic law is formulated by state legislatures according to certain procedures and primarily regulates various legal relationships within the state, including civil, criminal, and administrative law. Its enforcement is primarily guaranteed by the state's own actions, and in its formulation and implementation, it must consider the international obligations undertaken by the state to ensure that domestic law does not conflict with international law. Through clinic-style learning, I have finally gained a relatively comprehensive understanding of international law and domestic law. Although they belong to different legal systems, in practice, they are interconnected, interpenetrating, or complementary, and in some areas, they intersect and interact. For example, in the fields of international economic exchanges, environmental protection, and human rights protection, international law and domestic law often play a complementary role. I now have a stronger desire to continue studying and exploring international law. [9,10]

3.2.2 By referring to the medical model of diagnosis and treatment, we strengthen the "symptomatic" legal clinic education

In fact, legal clinic education can embody the following orderliness: inquiring about symptoms → analyzing the causes → prescribing treatment according to symptoms (causes). For example: searching for legal issues from a social perspective, conducting discussions, analyses, and debates on actual cases, carrying out offline community legal publicity activities, and providing legal consultations in different communities; using actual cases as carriers to conduct full-process legal practice activities, including receiving consultations, drafting documents, accepting entrustments, conducting mediation, investigating and collecting evidence, and actually appearing in court, to cultivate practical abilities and legal professional skills; making simulated courts pay more attention to the simulation of symptoms and procedural law, so as to correct the problem that many people do

not have a sufficient understanding of the content and objectives of court hearings, resulting in simulated courts that do not truly reflect the confrontation and defense in real courts and lack training for students' thinking. For example, during our holidays, we engage in social practice, but due to a lack of contact with deep-level problems, we cannot truly be trained and, due to a lack of professional investigation and practice methods, the results are not ideal, and we simply go through the motions. This kind of seriously formalized social practice can also be improved by applying the diagnostic model to strengthen the "symptomatic" approach of legal clinic activities, allowing us to learn how to carry out planned, thematic, and step-by-step social practice activities.

3.2.3 Community engagement: problem-oriented and systematic legal clinic activities

For example, the KINDALL Legal Clinic at Law School, Fujian University of Technology has adhered to the philosophy of "serving society with our knowledge" for several years. All members approach problems with the utmost enthusiasm, using the form of "legal aid" to reach out to the community and conduct "diagnostic" activities, bringing the "spring breeze" of the rule of law to thousands of households and contributing solutions to society's legal problems. According to statistics, in 2023, the legal clinic conducted over 30 case discussions, over 20 simulated court debates, and published nearly 10,000 reads on over 40 push notifications. It held over 10 legal publicity events and over 10 practical lectures, truly achieving the goal of "warming people's hearts with legal services and alleviating people's worries through legal aid." In the same year, the legal clinic also actively invited legal practitioners and seniors to visit the clinic and conduct various practical seminars and exchange activities through case discussions, thematic studies, reading exchange meetings, and court internships. Additionally, the clinic focused on strengthening the legal theoretical foundation of its members, enhancing their legal literacy and practical operational skills. Throughout the year, legal clinic members visited enterprises, communities, schools, and rural areas, further establishing the authority of the Constitution and law, building social consensus, and bringing the latest achievements in legal theory and practice to thousands of households, inspiring more people to participate in public legal publicity

activities. The legal culture publicity activities were well-received by the masses and were lively, vivid, and easy to understand. [11]

4. Effectiveness: Maximizing Student Potential in Legal Clinics

4.1 Effectiveness Makes a Legal Clinic Viable

Effectiveness, in its original meaning, refers to the ability to achieve a desired outcome or result. In this context, effectiveness not only refers to its original meaning but also to the degree to which planned activities are completed and planned results are achieved. It reflects not only the extent to which an organization achieves its goals but also the reason for the organization's existence, the results it seeks to achieve, and its special significance. Therefore, effectiveness is a broad concept that refers to actions and outcomes that are recognized as producing effective value, as well as a valuable evaluation of the degree to which goals are achieved. The effectiveness of legal clinic education has given it a vibrant vitality. Its effectiveness can be summarized in the following four points:

Firstly, authenticity, it refers to the tangible, visible, and perceptible nature of the program. It encompasses not only clinic-based legal education classes but also real-world case handling and simulation of law firm or court proceedings, thereby demonstrating its tangible nature. This model enhances the legal professional competency of law students and their ability to independently think, analyze, and resolve legal issues by guiding or involving them in the systematic handling of real cases.

Secondly, State or Scenario, also known as stenographic, this aspect indicates that legal clinic education is always in an active state, reflecting its organized and methodical nature. This relies on the establishment and improvement of practical teaching bases. By guiding or involving students in the orderly handling of cases, it ensures that the educational process remains dynamic and structured.

Thirdly, feasibility, also referred to as strong practicability, this aspect ensures that legal practice education is not only operationally feasible but also adheres to a systematic progression. It allows every student to participate, express their views, and contribute meaningfully, thereby demonstrating its effectiveness.

Fourthly, expandability: This refers to its

reliability. By emulating the medical school model that uses clinics to train interns, this new legal education model, introduced to China in the early 21st century, has been widely adopted in legal education activities in China. For example, during the winter and summer breaks, the author expanded the use of legal clinic methods to investigate juvenile delinquency issues, exploring concepts such as school bullying and cyber bullying, which, though potentially confusing, are distinct. Additionally, discussions were held on using international economic law to resolve international trade disputes.

4.2 Transforming Legal Clinics into Platforms for Students to Effectively Showcase Their Talents

4.2.1 Effectively Resolving the Confusion and Ambiguity for Beginners in Law

By drawing on the model of medical schools where interns and doctors practice in clinics, legal clinics integrate practical experience with theoretical learning, bridging classroom instruction with real-world legal applications. This approach clarifies students' understanding of the law, reducing the confusion and ambiguity often experienced by beginners. Consequently, it enhances their legal comprehension and application abilities, minimizing the superficial or vague grasp of legal concepts.

4.2.2 Significantly enhancing students' autonomous learning abilities

The legal clinic model functions not merely as an educational approach but as a reform of students' learning processes and methods. It shifts the role of the teacher from a classroom authority to a facilitator, allowing students to become the central figures in legal practice. Students independently engage with real case scenarios, interact with actual clients, and conduct comprehensive analysis and judgment of their assigned cases. This process enables them to handle cases in a manner that aligns with objective realities and legal requirements while reflecting their own legal learning capabilities. As a result, students develop a heightened legal awareness, enhanced autonomous learning skills, and improved professional competencies for practical work.

Learning law through practical activities rather than traditional lectures, and using targeted thematic activities to address specific issues,

fully reflects the inherent essence and features of specialized legal clinic courses. This approach also provides a model for overcoming the past monotonous classroom-based educational methods. Practical field-based activities in legal clinics facilitate exploration and summary of legal education, naturally improving the ability and skills to solve legal problems, and helping students understand how they are enhancing themselves. For example, members of the legal clinic at Fujian University of Technology used organizing competitions as a platform, enriching the activities and encouraging active participation in various national and provincial competitions such as the National Mock Court Debate Competition, Fujian Provincial Mock Court Debate Competition, Fujian Provincial Legal Short Video Competition, and Fujian Provincial Legal Drama Competition, achieving remarkable results. In 2022, they won second place in the Fujian Province's Second "Li En Cup" University Student Legal Short Video Competition (participated by the author). In 2023, they received the Best Debater award in the Second "Huaihai Cup" Mock Court Debate Competition, second place in the Ninth Fujian Province College Mock Court Debate Competition, and an Excellent Award in the First "Ze Liang Cup" University Student Legal Drama Competition (participated by the author). [11]

5. Conclusion

In summary, the establishment, development, and refinement of legal clinics indeed provide a tangible and effective way for students to engage with the field of law. They serve as an organized platform for continually enriching legal practice and an effective arena for students to showcase their talents, thereby making legal education more tangible, orderly, and beneficial. This "Three-in-One" legal clinic education model becomes a high-quality legal education practice course mainly because it advocates integrating legal theory with legal practice. It allows students to learn law through practical experience, enriching both the content and form of legal education, while also strengthening legal awareness, enhancing the ability to handle legal

issues, and improving practical skills and professional competence in law.

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