CO-CREATING LEGAL DESIGN CURRICULUM FOR MASTER´S DEGREE: FURTHER-DEVELOPING CURRICULUM BASED ON FUTURE MEGATRENDS AND STUDENT LEARNING EXPERIENCE

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Abstract

The aim of this paper is to describe the curriculum co-creation done at Laurea University of Applied Sciences in the Master´s Degree Programme of Legal Design and Expertise. The intention of this inquiry was to test a new way to further-develop the curriculum for the next students and application round.

The aim with curriculum design and development is to make sure education offered in higher education is up to date. Even though working life representatives have good knowledge about the competences and skills needed in working life, it is as important to notice and hear the experiences of current students as well and get feedback from them.

Therefore, in this case co-creation with the students studying in the programme was chosen as a method to further-develop the curriculum. Student experiences and feedback were gathered in the form of curriculum development workshop, in which co-creation process was based on the first curriculum and the megatrend cards -publication by Finnish innovation fund Sitra. The megatrend cards were chosen to test how well the curriculum matches the future megatrends and where there would be a need for improvement.

What was interesting in results of the workshop, students were able to identify many phenomena (like digitalization, AI and creativity) rising from the Sitra megatrend cards in the existing curriculum. However, some elements, for example globalization and environmental issues related to society and law could be considered more deeply in the next curriculum. The results also showed, that students had some developing ideas concerning the implementation plan of the courses, but quite few concerning the curriculum and intended learning outcomes themselves.

While the co-creation activities helped to design more student-centric curriculum for the second application round, it had also other benefits. The idea and aim were also to help students to identify, reflect and describe skills and competences the programme is intended to give them: what they had already learned and what was still coming. Since legal design is a relatively new field, it is crucial for students of this programme to be able to describe what are their skills and competences and how those can be utilized in working life and even more broadly in society.

Based on the findings of co-creation workshop and active observation during the whole first semester, the second version of the legal design curriculum is now being developed and the idea is to continue co-creation activities also with the second group of students starting in the same programme in September 2020. Based on this co-creation experience, students could be used more widely in the development of higher education practices in other areas as well.

Keywords: legal design, curriculum, curriculum design, curriculum development, co-creation, megatrend, learning experience, higher education, master's degree, university of applied sciences.

1 INTRODUCTION

The aim of this paper is to describe the curriculum co-creation with students, done at Laurea University of Applied Sciences in the Master´s Degree Programme of Legal Design and Expertise. The intention of this inquiry was to test a new way to further-develop the curriculum for the upcoming take in of students and application round.

The aim of curriculum design and development is to make sure education offered in higher education is up to date. Although working life representatives have good knowledge about the competences and skills needed in working life, it is equally important to notice and hear the experiences of students as well and get feedback from them. Co-creation offers us a tool for this.

1.1 Curriculum co-creation

Often when we are talking about curriculum co-creation, we mean curriculum co-creation with work life representatives or alumnus of some specific degree programme, to make sure that the curriculum is aligned with needs and demands of working life. However, in recent years, curriculum co-creation has changed to mean also joint development work and discussions between higher education teachers and students.

Bovill [1] describes that fundamentally what co-creation of curriculum means is a transition from a traditional teacher-student relationship to a two-way model of interaction where both have a meaningful participation in the teaching and learning process. What co-creation is not, is giving students full control, neither is it about teaching staff deciding through the process. The context dictates the levels of control, which are appropriate and depend on the level of study, the relative experience and attitudes of the students and staff.

Brooman et al. [2] found that students could achieve better, when their input would be taken in consideration in curriculum design. This is an indication of curriculum co-creation resulting in improved curriculum design for enhanced learning.

Bergmark and Westman [3] describe the modes of co-creating curriculum in three levels; Co-creating curriculum as ambiguous views and expectations, inspiration and motivation, transformation. The most profound of the three would be co-creating curriculum as transformation as the student engagement results in course goals integrating with student experiences and their perceptions on what is needed in their learning and personal development.

1.2 Sitra megatrends

Sitra is a future fund that anticipates developments, analyses phenomena and gathers partners from various sectors to participate in open-minded trials and reforms. Their future-oriented work is aimed at a fair and sustainable future – the next era of well-being. In year 2017 Sitra wanted to highlight megatrends, that would affect work, democracy and inclusion, and growth and progress that are relevant to the Nordic countries. [4] Sitra's megatrend cards contain various trends which are already affecting our lives, society and thus also our future, 46 megatrends in total. Predicting the future with the help of trend cards is not possible. Nevertheless, these cards enable us to make our own thoughts nimbler and to stretch them further; they allow us to create new ideas and visions about the possible future. [5]

Sitra megatrend cards were chosen as mirroring object for intended learning outcomes and students learning experience in this curriculum co-creation experience. There was a willingness to test curriculum in the current stage with research made about current and upcoming trends affecting work, democracy and inclusion. Even though the idea of megatrend cards is not to predict future, we wanted to use megatrend cards as a framework to determinate how future-proof and up to date the curriculum is currently. This way megatrend cards gave a framework for students to think about how well the curriculum answered to given megatrends and which megatrends could been found from the curriculum. Particularly Sitra megatrend cards were chosen because Sitra is well-known and respected Finnish innovation fund, which has made lot of research work related to future forecasting.

1.3 Laurea Master´s degree studies

Laurea University of Applied Sciences is a multidisciplinary higher education institution operating in Southern Finland with approximately 7800 students and 500 staff members. People and interaction are at the core of its operations and activities are based on a sense of community, social responsibility and creativity. [6] Service design and especially co-creation as strategic choice has been widely used in mainly all development work done with stakeholders, staff and students. Deep co-operation also with students is based on equality, with everyone being able to produce new knowledge and understanding.

At Laurea, the degree structure of education leading to a Master's degree consists of core competence modules including the thesis, and complementary competence modules. The modules comprise competence areas that are part of the degree. The scope of the compulsory core competence is 60 credits in education leading to a Master's degree. Complementary modules make it possible for students to deepen or extend their knowledge. The scope of complementary competence is 30 credits. Complementary competence modules support individual study paths and competence and they can be selected freely. Learning is linked to workplace development and the student's personal goals. Credits are attained when the student completes study units that are part of the module or projects in which the corresponding competence area is developed.

Study unit implementation plans specify the objectives, content and implementation mode of the studies. Students can deepen or extend their competence through their choice of complementary competence modules and topic of thesis, and by participating in projects.

1.4 Curriculum of Master´s degree programme in Legal Design and Expertise

The structure of the Legal Design and Expertise curriculum is presented below with the intended learning outcomes of each study unit. The learning outcomes are described as actions to enable the assessment of the development of the competence. The structure and content of the curriculum are built around the Margaret Hagan´s [7] definition of legal design: "Legal design is the application of human-centered design to the world of law, to make legal systems and services more human-centered, usable, and satisfying". Since the idea of legal design is to combine the legal aspect with a user-centric approach by design and technology to ease the use of documents and services, curriculum also combines all those three elements of law, design and tech. The curriculum consists of four compulsory study units (from 5 to 10 ECTS each, altogether 30 ECTS), Master´s thesis (30 ECTS) and elective study units selected by students (30 ECTS). Electives studies support individual study paths and make it possible for students to deepen or extend their knowledge.

Legal design thinking is part of every study unit of the curriculum, also in the Master´s thesis. In the Legal Design study unit, students will learn the basics of legal and service design methods and tools to apply them in rest of the courses. In Law and Technology and Digital Environment and IPR's study units the legal design thinking is applied in digital environment and new technological tools are created after learning legal principles linked to the course subject. Societal aspects are especially in focus in the Legal Expertise study unit, which handles topics like rights of children, self-determination rights in the center of social and health care renewal in Finland and misuse of exercise of power in Finnish municipalities.

1.4.1 Legal Design, 10 ECTS

Intended learning outcomes;

After completing the course, the student is able to:

- utilize and apply service and legal design methods and tools
- produce and design comprehensible and functional legal documents and texts
- construct new and new types of service designed legal services

1.4.2 Law and Technology, 5 ECTS

Intended learning outcomes;

After completing the course, the student is able to:

- analyze the effects of technology and it´s development to the legal practices and services
- develop new and new types of legal services by utilizing new technologies

1.4.3 Digital Environment and IPR's, 5 ECTS

Intended learning outcomes;

After completing the course, the student is able to:

- act and guide also others to act in legally sustainable manner in digital environment
- protect IPR and other personal- and other information in new types of situations and interfere with violations of the rights

1.4.4 Legal Expertise, 10 ECTS

Intended learning outcomes;

After completing the course, the student is able to:

- identify the legal perspectives of important and topical societal and working life phenomena
- analyze the societal phenomena with law and legal research
- develop societal legal practices

1.4.5 Elective study units, 30 ECTS

The elective study units enable students to pursue their specific interests. The elective study units have been divided into three categories: research and development module, leadership skills module and user-centered service development module in approximately 3-5 courses in each module. From these, the student can select the ones one is most interested in and which best support other studies. With faculty advice, these study units may also be provided by partner universities of Laurea. Elective study units may also include research and development projects, shared intensive courses, and conferences arranged for example with Laurea's partners.

1.4.6 Thesis, 30 ECTS

The aim of the Master's thesis is to develop the students' ability to carry out a demanding legal design development project independently. The aim is to allow students to deepen their ability to apply theories in practice, their analytical skills, their project management and R&D competence and their social skills. According to the Government Degree (423/2005), the aim of the Master's thesis is to develop and demonstrate students' ability to apply research data, to use selected methods for analyzing and solving work life problems and to carry out demanding specialist tasks independently.

While legal design as a field is mainly based on concrete doing and real-life cases and projects, it is highly encouraged that students select the form of the thesis to be a multiform thesis. The idea of multiform thesis is to work on thesis in portfolio manner instead of just the traditional written report. By choosing multiform thesis and portfolio option, student would gain same time experience of doing legal design in practice and one would have concrete exemplary portfolio to show for the community right when one is graduating.

2 METHODOLOGY

When building education for future, we need to know what is coming and might affect to our lives and society as well, so it was time to look at the future. This time Sitra´s megatrend cards from year 2017 were used and utilized for this task. The idea behind the utilization of the megatrend cards as a mirroring object was to awake the creativity of the students and encourage them to think outside of box for new contents of the curriculum by using megatrend cards first and afterwards asking students about their curriculum of dreams.

In this case, co-creation with the students studying in the programme was chosen as a method to further-develop the curriculum. Student experiences and feedback were gathered in the form of curriculum development workshop, in which co-creation process was based and focused on first curriculum's core competence study units and the megatrend cards -publication by Finnish innovation fund Sitra. The megatrend cards were chosen to help to test, how well the curriculum matches the future megatrends and where would the need for improvement exist.

The curriculum design and development workshop had several aims: getting feedback from the students in more unstructured form than official feedback surveys, to further-develop the contents and structure of the degree programme for the next round and to gather insights and feelings from the students related to learning process and experience so far. While the workshop was designed to support especially the development work of the degree programme, the secret mission at the same time was to get students to describe and think what they had learned until that moment. The aim was to help students to realize and write in words the competences and expertise they are building through the education while studying legal design.

So, the idea of the workshops was to find out how well Sitra´s megatrends could be found from the curriculum. For this, students were asked to identify not only megatrends that can be found from the curriculum but as well the ones that couldn´t be found from the curriculum. Finally, they were asked to build up the curriculum of their dreams to find out what on their perspective should have been added to the curriculum.

Workshop started by students getting to know and familiarizing themselves with the Sitra megatrend cards and learning outcomes of the whole curriculum and each separate study unit. After this, they were asked to think were there some connections between curriculum intended learning outcomes and the megatrends and how strong was this connection. They were also asked to think what should be added to the curriculum so it would better answer the demands of megatrend cards. Each student first thought these questions alone and wrote down answers to post-it notes and just after in small groups. In small

groups they were also asked to select the most important megatrends which can´t been found from the curriculum. Same assignment was given as an opposite; select two most important megatrends that can be found from the curriculum.

After this, students were asked to concentrate purely on intended learning outcomes of the degree programme and write down what were the outcomes they think are not reached by the end of the study units and is there some outcomes that are reached but can´t yet be seen found from the current intended learning outcomes of the curriculum.

The last phase of the workshop was to create the curriculum of their dreams and ideate freely: what should be added, what to improve, how to teach and other concrete development ideas concerning the implementation of the courses.

3 RESULTS

In the result section of this paper, the results of both the curriculum workshop as well as co-creation method used are presented.

3.1 Results from the workshop related to curriculum development and megatrends

What was interesting in results of the workshop, students were able to identify several phenomena (like digitalization, AI and creativity) rising from the Sitra megatrend cards in the existing curriculum. However, some elements, for example globalization and environmental issues related to society and law could be considered more deeply in the next curriculum. The results also showed, that students had some development ideas concerning the implementation plan of the courses, but quite few concerning the curriculum and intended learning outcomes (ILOs) themselves. For example, not all ILO´s were that clear to the students even though they all had read the curriculum for entrance exam and those had been reminded to students in the beginning of each of the study unit. However, after common discussion and reflection also these got clearer and they understood how the ILO´s had been transformed into learning activities in implementation plan. While higher education institutions still often see the curriculum as a guiding tool for education and learning activities heading to a degree, based on the workshop, from students' point of view it´s the implementation and syllabus level where the magic happens, and great memories and experiences are made.

At time of the workshop, students had studied in the programme for three months and compulsory study units were all still going on for a few months. Therefore, the workshop also helped to check that all the learning outcomes would be realized by the end of the courses in implementation plans. It was also interesting to notice what was the connection between intended learning outcomes and Sitra´s megatrend cards in real life.

Below are workshop results presented more specifically, first two categories are linked with megatrend cards and third, more open category based on students learning experience together with insights and dreams.

3.1.1 Megatrends that could be found from the current curriculum by students:

There were several megatrends, which could be identified from the curriculum by the students. The following megatrends (*Culture of experimentation*, *understanding technology will become a civic skill*, *The use of artificial intelligence will spread*) have in common that in the future leaders, information producers, solvers (designers) should come together and learn from each other. *Digitalization* can be seen in the context of law and technology and the digital environment. When the world is stuffed by information, *Decision-making will become problem solving* and legal designers will make it easier to understand and thus there can be a better focus on solving legal problems. The misuse of IPR-rights is simple and easy, as *Hyper connectivity will grow*, but very difficult to get rid of. *Creativity begets work and well-being*, when students are able to produce and design understandable, functioning legal texts.

Nowadays education is built on the basis that previously learned is the foundation on which new knowledge and skills are built on. This means that *Lifelong learning will no longer be a virtue but a necessity*. Project work in the curriculum enables students to learn completely new things and deepen their knowledge on them. As law is too complicated to read and understand, people do not trust the law since it can be interpreted in several ways and often against the benefit of the people, *Democracy will be challenged by increasing social inequality and a lack of trust*. If law and legislation separate from the

daily lives of people, it can have adverse effects on the democratic system. The goal of legal design is to build a better and easier to understand society for all.

3.1.2 Megatrends that couldn´t be found from current curriculum by students:

There were also several megatrends identified, which are not in the current curriculum. Some were completely missing, like *World citizenship will be more common*, *The role of skills will increase*, *New measures of economic success*, *permanence crisis*, *inequality will increase*, *framework conditions for the economy will become stricter*. Others were found by some of the students, but others couldn't see the connection as was the case with *Democracy will be challenged by increasing social inequality and a lack of trust*, *decision-making will become problem solving*.

In addition, *environmental law*, raised the question, how this could be made more visible in the next curriculum. On the other hand, *Peer and sharing economies will become more common*, and this is a megatrend, which combines ecological and new practices.

Culture of experimentation increases, is something which is encouraged, but how can it be seen in corporate life for example? In addition, how legal design could be utilized in Finland to benefit the integration of refugees to Finnish society as *The number of refugees will grow and migration will increase*?

3.1.3 Curriculum of dreams: ideas of how to improve the implementation and contents of the study units

In curriculum of dreams -phase students were asked to give concrete improvement ideas for the implementation of the study units as well to add subjects and themes into next curriculum, which they would have been wanted to learn more.

From the dream-part results can be seen, that one wish from students was to learn more about visualization: techniques and graphical tools as well as how to use these to concretely apply legal design. Also, graphic designer as a guest lecturer was in the wishes of many. Students would also have hoped to see more examples of real-life legal design cases, but since the field is quite new, there aren't that many examples in public from different angles to show just yet.

The amount of core competence study units was too little for some and they pointed out that current curriculum/ implementation is only a starting point to the subject and too much a bit of everything. Instead of several angles, they would have liked to focus more deeply on just a few. Many students also commented that they would have hoped to learn more in general as well more about law and theories related to legal design. Technical solutions and learning new technical tools were also high in the wish list in a way that each project team would next time need to build some technical solution related to their project. Some of the non-lawyer background students were hoping to learn more about law from various topics, not just one related to their own project work.

Based on the student feedback gathered in workshop, in the course Legal Expertise, the focus should be in broadening the legal understanding instead of deepening it in some specific field. Basics of the jurisprudence, hierarchy of norms, legal literature and legal sources were something that could have been from students' opinion an optional elective study unit for non-lawyers as well.

Utilization of megatrend cards in the curriculum workshop also awoke to the idea that in the next round, students would also learn more about future studies, how to monitor ideas and solutions they are creating in their projects also based on future trends. One team had come across human behavior and nudging aspect in their project work as well and this was hoped to be included to the curriculum for all in the next round.

3.2 Results of co-creation method used

The timing of the co-creation activities in the middle of the first month's intensive core-competence studies gave the teaching staff a chance to recollect learning outcomes of each course, and based on the student feedback they had still time to make some small adjustments for the coming contact days if needed or hoped from students' side.

Like already stated, while the workshop was designed to support especially the development work of the degree programme in the form of curriculum design and development, the secret mission at the same time was to get students to describe and think what they had learned until that moment and what

was yet to come. The aim was to teach students to realize and write down in words the competences and expertise they are building through the education.

While analyzing the results of the workshop, it could be seen that this aim was also fulfilled. Some students had been struggling before on how to describe what they had learned during the courses, but with the help of other students' points of views, they got much more concrete learning outcomes, skills and competences gathered than by just thinking by themselves. Also, in the recognition of own learning, megatrend cards had their role. Megatrend cards helped students to see and realize that the skills and competences they have gained in education have broader, societal value. The megatrend cards helped students to see in which way their skills are needed in society. In addition, how selected trends could be seen more strongly in society and how students could try help to prevent the unwanted trends by utilizing their new skills and competences. By combining their new skills and competences gathered and still to evolve during their master´s studies, many of them recognized the societal aspect and utility of legal design skills for making law better and the world itself better place for us everyone which is something Margaret Hagan has often brought up in her work. In addition, Legal Design Alliance has stated in their Legal Design Manifesto [8] that purpose of legal design is to foster the application of legal concepts, rights, and norms in everyday use, rather than just proposing legal arguments.

One development idea that arose from the workshop was to focus more on the benefits legal design could have from business perspective. Of course, contract design and human-centered documents and services can have competitive advantage itself as well but more discussion from this angle is also needed. If students can communicate clearly what benefits legal designers bring to business (among other working fields), also graduating legal designers could have more job openings waiting for them in the future.

4   CONCLUSIONS

While the co-creation activities helped to design more student-centric curriculum for the second application round, it had also other meaning and benefits. The idea and aim were to help students to identify, reflect and describe skills and competences the programme is intended to give them: what they had already learned and what was still coming up. Workshop held by applying co-creation method reminded us about the importance of implementation plan/ syllabus and raised the question of what the meaning of curriculum is really for students nowadays.

Students experienced that workshop and co-creation helped them with recognition of own learning: it raised the importance of legal design and they got insights from others. Since legal design is a relatively new field, it is crucial for students of this programme in focus to be able to identify and describe by themselves what are their skills and competences and how those can be utilized in working life and for building up better society. For students, workshop made clearer the value of their studies and societal demand for skills that are studied now.

While the megatrends were utilized mainly just as mirroring object for curriculum development, it was nice to notice that megatrends can be linked to curriculum partly quite well and that legal design curriculum has great societal value in current state. Based on the workshop results and in general, there is no intention to develop curriculum to better match with megatrends but those helped to raise some other concerns and societal challenges that could be someway be made clearer in the intended learning outcomes for the next curriculum.

Since most things always have the other side also, megatrends as mirroring object were somewhat confusing for some students and afterwards they told that they could only focus on link between megatrend and curriculum during the workshops while the real idea was to help student to describe and just think things more broadly with the help of trend cards. From teachers' point of view, without any reference point, it might have been quite difficult to think their learnings in general or at least in such a high as societal level.

The feedback from the students related to workshop was that they liked the fact they had possibility to not only give feedback based on their own experiences but also reflect their learnings in time. However, they commented that timing of the workshop would might be better a bit later or at the end of first term when all the courses were over.

Workshop helped in curriculum development work made by head of the programme and other teaching staff, since with the help of the process they didn´t need to guess what were the things students liked or didn´t like in each study units. New ideas like nudging and future aspects utilization came up but also

other themes like how legal design relates to economy, which theories could be linked to legal design and learning more law from various fields are all things that should be improved for the next round.

Based on the findings of co-creation workshop and active observation during the whole first semester, the second version of the legal design curriculum is now under development and the purpose is to continue co-creation activities also with the second group of students starting in the same programme in September 2020. Based on this co-creation experience, students could be used more widely in the development of higher education practices in other areas as well.

ACKNOWLEDGEMENTS

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