

A legal design classroom: reflections on learning through legal education

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Abstract

This article reflects on the work of TILT Access to Justice Technology and Design Lab, and the experiences of the authors (both students and teachers) in using as well as reflecting on legal design as a method for study, classroom interaction, and project management. It discusses projects of the Lab, exploring dynamics related to problem-solving, the value of engaging in continuous reflexivity and its positive impacts – namely how probing one's assumptions, biases, actions and solutions can lead to revelations not initially foreseen.

Experiential learning - including in legal education - has been shown to facilitate the development of students' educational potential through a focus on drawing from lived experiences, plural perspectives, and contested cultures. Through making the classroom inclusive, students benefit from a rich learning environment that values diversity and promotes understanding of different perspectives. This article aims to contribute to the field through demonstrating how legal design can have value in building open, critical, as well as impactful learning environments in legal education.

Key words: Legal Design, Law & Technology, Access to Justice, Clinical Education, Project Management

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1. Introduction

The rapid increase of technological advancements in the few past years, and the risks these carry require an increase in legal experts who can understand the underlying socio-technical concerns and provide appropriate (regulatory) solutions for overcoming them (Akhmadjonovich, 2021). This requires broadly oriented interdisciplinary lawyers, necessitating engaged and evidence-based education in universities (Giddings, 2020; Wintersteiger, et. al, 2021). To contribute to developing avenues for critical thinking and social engagement, the 'TILT Access to Justice Technology and Design Lab' (hereinafter referred to as 'the Lab') was established at Tilburg University. The Lab was intended to provide Masters in Law students of the Law and Technology program ('LLM students') with a platform for identifying, discussing, and analysing socio-legal concepts outside of the 'traditional' classroom by means of experiential learning and engagement with legal design as a framework. To us, experiential learning, which integrates a 'learning by doing' approach is particularly useful as it is expected to facilitate development of students' educational potential through drawing on passion and talent (Amalia, 2021). This is in line with Bennett's (2020) notion of including 'employABILITY thinking' in curricula, which, among other things, focuses on metacognitive and social development of students instead of, for example, streamlined and repetitive delivery of knowledge (emphasis added). This kind of thinking does not 'overcome' students but needs to be activated within students to increase their ability to create cognitive links (Bennett, 2020). Giddings et al (2020) add that engaging students in clinical legal education can play an important role in preparing them for becoming legal advisors, giving participants an advantage in obtaining practical experience within existing law programs.

The Lab was divided into two cohorts, spread over two academic semesters. Cohort one took place from April – July 2023 (four students were enrolled), while cohort two took place from September – December 2023 (seven students were enrolled). Both cohorts were involved in two projects each. The projects were selected based on their potential to have students either be the designer for a partner organisation or to be the end-user themselves, challenging them to reflect on their positions as being able to be shaped by design, but also to shape the design of actions that would materially affect the world around them.

Projects for cohort one focused on designing a course on 'Law, Technology, and Marginalisation' and collaborating with an India-based non-governmental organisation, on the development of guidelines for building user-friendly judicial dashboards (the 'Justice Dashboards Framework' project). This project focused on creating an evaluation framework for dashboards that inform legal sector reforms, aiming to enhance their functionality and user accessibility. The other project involved students developing a full-fledged course curriculum that would explore the intersections of law, technology, and societal exclusion and that also emphasized the necessity of incorporating aspects of justice and legal empowerment into digital transformations (the 'Curriculum Project').

The projects for cohort two tackled crucial challenges in student engagement and practical learning opportunities. One project, 'Reinvigorating Community Building Events', recognised a decline in participation and saw students conduct research to identify the reasons behind low attendance. It then developed innovative strategies to boost engagement and foster a more vibrant learning and community environment. The other project addressed the need for experiential learning by exploring the conditions and requirements for developing a sustainable 'Clinical Legal Education Program'. This program aims to equip students with practical skills

while fostering societal engagement through partnerships with educational institutions and community organisations.

These diverse projects highlight the Lab's active commitment to tackling real-world challenges in legal education and empowering future legal professionals to become agents of positive change. The students were expected to understand and discuss legal concepts or phenomena and be increasingly innovative in dissecting underlying issues or risks. In order to do so, the sessions included a presentation by the instructors on specific aspects of each project and how these could be best approached. All sessions were interactive and dedicated to providing students with an environment of peer-to-peer as well as self-paced learning. Throughout this experience, an online folder for information sharing was used which facilitated quick access for feedback from all involved, fostering an interactive knowledge sharing environment. Each project was conducted within a timeframe of six to eight weeks, commencing with an introduction by the instructors and ending with a report and presentation by the students.

This article examines our work as a Lab and includes a writing team of both teachers and students. In doing so, we recognize that there are power hierarchies in the classroom and recognize that, in writing this piece, we are intentional in addressing this differentiation by being co-producers of the knowledge in this article.

To begin our reflections for this article, as a group, we discussed our understandings of the main question: *“What does teaching and learning Legal Design offer for building experiential and inclusive law and technology education?”* This was supported by the following sub-questions:

- 1) What do legal design and legal education encompass?
- 2) What do we seek in a law and technology classroom?
- 3) What have we found, as students and teachers, by working with and through legal design?

We will reflect on examples from the Lab as lessons for legal education. In section 2, we define legal design and education and highlight its importance within curricula. Section 3 reflects on using legal design in a classroom setting through the Lab's experiences.

2. Understanding legal design and legal education

2.1 Legal design and experiential practices

Legal design in its broadest sense applies a design mindset toolkit to the legal field (Allbon & Perry-Kessaris, 2022; Doherty & McKee, 2022). The application of these ‘designerly ways’ can be understood as a set of processes and strategies that make ideas tangible, malleable to experiment, in order to make them actionable in practice (Allbon & Perry-Kessaris, 2022). As ‘design applied to law’ (Le Gall, 2021), legal design projects have focused on creating greater efficiency, clarity, and accessibility in the legal system to improve the quality of the interaction between people and the law, including its teaching (Le Gall, 2021; Legal Design Alliance, 2018; Doherty et al., 2021)). It employs empathy and human-centred design principles to cater to the needs of diverse users - individuals, businesses, and community organisations – thereby contributing to different objectives of improving access to justice, enhancing communication, and ensuring more effective legal outcomes. These principles advocate departing from the monopoly of text in law by using design to see (making them seen) and explore (understand and change) legal ideas (Allbon & Perry-Kessaris 2022) for practitioners as well as publics who are most impacted by the law and legal systems (De Souza, 2021). For instance, an interactive tool can be created to simplify a complex legal process (Zefort, 2023), such as dense tenancy

agreements by using plain language and infographics to explain key terms visually (Karpen & Senova, 2021).

Incorporating legal design into legal education ultimately aims to help people work effectively with the law. These methods start upstream from making teaching accessible and engaging for future practitioners. According to Allbon and Perry-Kessaris, this emphasis on inclusivity creates enabling ecosystems that work on two levels. The first develops practicality and a critical mindset, while the second introduces a new way to represent law as a communal resource (Allbon & Perry-Kessaris, 2022). As a consequence, downstream, aspiring lawyers can adapt to different ecosystems, depending on their work, their team, the timeframe of their project and their audience (Allbon & Perry-Kessaris, 2022).

The legal system is challenging to navigate, particularly for those without legal expertise, which perpetuates and exacerbates existing discriminations in society (Schuck, 1992). Lawyers have traditionally presented legal information to clients and stakeholders in formats that are more aligned with their own preferences, unaware that the general population is more inclined to 'visual and tactile learning methods' (Toohey et al, 2023). The tendency to 'proceduralise solutions, to adopt overly legalistic language, and to employ 'standard form' templates is a major factor' for the distrust that clients experience in their interactions with lawyers (Compagnucci et al, 2022). Moreover, traditional legal services can be expensive and time-consuming, often leaving individuals and small businesses feeling overwhelmed and frustrated (Faster Capital, 2024). Legal designers can address the inherent inaccessibility of traditional legal systems that are burdened by paperwork and opaque procedures for its users (Haapio, Barton, & Compagnucci, 2020). They can create a sense of community among researchers to encourage collaboration (De Souza & Hahn, 2022), break down hierarchies in corporate environments (Pagano, 2017), seamlessly integrate justice and equity into the rapid advancements of technology (Santuber, 2023) and more generally meet the needs of people making use of the legal system, and the opportunities offered by it (Hagan, 2020). By integrating legal design principles, legal education can equip students to translate complex legal concepts into user-friendly formats, such as plain language documents, infographics, and interactive tools, which empowers them to bridge the knowledge gap and improve access to justice for diverse audiences (Hagan, 2020). For marginalized communities, inclusive education can be particularly empowering, as it creates opportunities for their voices to be heard and their experiences to be valued (Ainscow, 2020).

The combination of design thinking and proactive legal analysis at the design stage can make compliance with regulatory requirements an opportunity rather than a burden. By involving lawyers in the process of designing interventions and collecting the user requirements as part of the procedure, regulatory compliance is quite literally designed as part of the system. (Compagnucci et al, 2022). This is a form of preventative law as user needs are anticipated - based on their own initial input - and risks are mitigated prior to the occurrence of any impact to the user. This process involves communication with different stakeholders or user groups and generating a specific problem definition, putting users 'at the centre and [creating] solutions that work for users and not against them.' (Compagnucci et al, 2022) This legal-by-design approach can 'promote transparency, autonomy, privacy, security, fairness, and accountability.' (Compagnucci et al, 2022).

Teaching legal design equips students with a practical framework that effectively bridges the gap between theoretical knowledge and practical application. Take for instance the crowdsourced '*Learned Hands*' project from the Legal Design Lab in Stanford, where lawyers contribute labels to legal issues found in online descriptions of problems and self-help

resources produced by courts and legal organizations. These labels are used to train machine learning models, potentially providing more useful automated legal advice. Hagan (2020) suggests that legal design brings together a ‘lawyerly’ focus on abstract complexities, such as understanding rights, risks, and rules, with a ‘designerly’ focus on lived experience - the practical aspects of how things are done and how they feel to individuals.

As digital technologies increasingly influence various aspects of society, adapting legal frameworks to be more inclusive and equitable becomes imperative. Contanza-Chock (2020) discusses the inherent design choices that can cause injustice, narrating how traveling as a transgender person is difficult because airport security systems are designed to treat gender as a binary concept. This work demonstrates the importance of centering the experiences of marginalized groups in design processes. Legal design can foster such adaptation by crafting solutions that are effective and mindful of diverse community needs (PublicLegalDesign, 2024).

2.2. The aims of the TILT Access to Justice Technology & Design Lab

The Lab served as a platform for students to engage in experiential learning that bridges the gap between legal theory and real-world application. By incorporating legal design principles into its curriculum, the Lab aimed to empower students to become agents of change themselves, capable of developing innovative solutions that promote access to justice and a more inclusive legal system. The Lab sought to do this through developing impactful projects destined for the student community and external actors. It encouraged students to engage with diverse literature and methodologies, enabling the group to conceptualize how legal design can enhance access to justice and the effectiveness of Law and Technology legal education. The culmination of the experiential learning process was the active experimentation stage, where the student cohort applied their learnings to design and implement innovative solutions in an iterative process characterized by continuous refinement based on feedback and evolving user needs (Maher & Poon, 1996).

At the Lab, we adopted a dynamic and blended immersive learning environment where students, both in-person and virtual, grappled with real-world legal design challenges under the guidance of experienced instructors. This hands-on approach placed students at the centre of the learning process, translating theory into practice. For instance, the ‘Curriculum Project’ arose from lively debates sparked by students' diverse backgrounds and experiences worldwide. These discussions challenged participants to re-examine terminology and explore alternative teaching styles. Similarly, the global nature of the classroom benefited the ‘Justice Dashboard Framework Project’. Students' unique perspectives on accessibility, language barriers, and cultural nuances informed the framework's development, ensuring its relevance to diverse contexts. In every instance, it was each and every participant's story that was fuel for discussions leading to the outputs (De Souza & Gupta, 2023).

This focus on real-world application served a dual purpose. First, it provided students with a springboard for reflection. Students were encouraged to critically analyse their experiences and consider potential solutions to practical problems. Second, the collaborative nature of the Lab projects fostered active learning. Students did not simply learn from instructors; they actively engaged with their peers by exchanging ideas, testing assumptions, and refining their understanding of legal design methodologies. This emphasis on collaboration mirrored the co-creation and user-centred design principles that underpin successful legal design practices.

A central aim of both cohorts of the Lab was to design with and for the community. In both cohorts, one of the projects involved designing directly for the student community at the university, which meant the Lab members had the dual role of designer and participant. The role of the community is emphasized in five of the ten Design Justice Network Principles, that explicitly mention the different responsibilities that those working in social justice have towards the community. For example, design must empower communities by making central the voices and needs of those impacted by the design process rather than the vision that the designer may have (Design Justice Network, 2018). There are different understandings of community. Hagan (2021) broadly refers to the target audience or community as ‘the user’ or ‘stakeholders’. In Participatory Action Research (PAR) and co-design, the definition of community is extended to include co-researchers and designers, as it ‘emphasizes the development of communities of shared inquiry and action’ (Costanza-Chock, 2020). Further, liberatory legal design and radical imagination approaches suggest community may also be understood to include the users’ social circles, including family and friends (Pope, 2022). This vision of community encourages us to consider the broader picture that legal design seeks to address, including questioning the oppressive systems that we may consider inevitable in the work we do, and examining the impact beyond the immediate users and researchers.

The exercise of defining community shows it lacks a set definition, and that one must be very careful in setting the boundaries of our understanding of community, as there is always a risk of perpetuating biases and projecting our own experiences, which can lead to the exclusion of individuals that we seek to design for (Perry-Kessaris, 2018). In our work, every person involved in the Lab had somewhat of a different understanding of the meaning of community and legal design. Throughout the process of designing for community, the purpose was not to have a single definition of community or legal design, but to incorporate the different understandings in the group. This sentiment is echoed by emphasizing the value of situated knowledge over universalist knowledge, and the risks of prioritizing one viewpoint over another (Costanza-Chock, 2020).

A key particularity of the Lab was the opportunity for students to follow a path often disregarded in traditional legal studies: being personal. First, it was designed to allow students to discuss narratives outside of their own bubble. The Lab typically gathered students from different backgrounds, giving them a voice to exchange on critical topics less discussed in class, on which their own experience guided their conception of legality. This reflexive exercise changed depending on the diversity of the group (age, gender, cultural background). Second, it allowed enough time for students to develop their inherent creative self. Being multidisciplinary in nature, legal design benefits from all inputs, regardless of the domain, media or genre explored. This creative freedom is at the service of projects that end up representing each of the participant’s singularities. The self-expression is contrary to the formality associated with traditional legal studies. Students had the opportunity to be personal through the interactions with users. Empathy was key both in identifying the needs and wants of users (McKeever & Royal-Dawson, 2022) as well as in explaining the work of the Lab.

The nuance in each students’ social, cultural, and professional values and experiences was made apparent throughout the Lab’s work. For instance, in designing a course on Law, Technology and Marginalisation, the variety of personal experiences from students worldwide was a driver for debates on terminologies and education styles. Similarly, working on the Justice Dashboard framework benefited from everyone’s experience with accessibility, language, and cultural gaps. In the ‘Community Building Events’ project, students’ varied backgrounds and experiences led to a more nuanced understanding of student engagement. The ‘Clinical Legal Education’ project benefited from the global makeup of the cohort. Students’ diverse cultural

backgrounds and understanding of legal systems informed the program's design, ensuring its adaptability to various institutional and community contexts.

Therefore, by incorporating legal design principles into the curriculum, the Lab aimed to foster innovation and a commitment to social justice among students. It aspired to prepare participants to effectively navigate and shape the intersection of technology, law, and society, while letting them bring their unique personality, viewpoints, and experiences to the table.

2.3 Communication styles

As in all collaborative and teaching environments, communication styles played a significant role in moulding the Lab into its shape, by regulating the relationships of the various actors in the Lab (the supervisors, participants, and end-users of the projects) and the flow of information within those relationships.

During the Lab, participants got to explore the concepts being introduced to them through various perspectives, putting on three different hats. Firstly, they put on the hats of students, who learned about legal design and various research methodologies. Secondly, they wore the hats of 'teachers' who relayed the newly introduced concepts to fellow peers for the purpose of facilitating their understanding of the projects and the role they had in them as end-users. This approach mirrors that of 'student organized teaching', in which students are *'learners and teachers at the same time and shape their learning spaces'* (Bönisch et al, 2023). Finally, they tried on the hats of researchers, who actively worked on gathering information for the projects through focus groups and interviews.

In all these roles, communication styles were a key factor in fostering an environment which enabled healthy and respectful interactions, as well as efficient progress towards the end-goals of the project. This multifaceted role was particularly informative and educational in the context of learning about legal design, as it offered an embodied experience of legal design theory. More specifically, it provided first-hand insights to the community-oriented co-design ethos of legal design thanks to the position as designers who, first, were firmly placed within the community that constituted the project's end-users, and who, second, utilised that position to collaborate closely with members of the community. The project also provided first-hand insights into the user-centred approach of legal design which aims to understand the lived experience of the user and adjust their environment so that a specific need becomes more accessible to them (Jiboku & Sodeinde, 2021).

In the course of the Lab, we identified the following stages of communication:

1. Communication during the learning phase
2. Communication during the teaching phase
3. Communication during the application stage
4. Communication beyond the project

2.3.1 Communication during the learning phase

As noted by Kleinsmann, creating a 'shared understanding' when working in a team is integral for collaboration (Kleinsmann, 2006). In line with this, the first step in working on the Lab projects consisted of the Lab teachers relaying the necessary background knowledge, context, and tools necessary for the students to acquire a shared understanding with regards to the meaning and goals of the projects. This process involved a mix of traditional and alternative ways of teaching. On the traditional side, a combination of assigned readings on legal design and quasi-tutorials were utilised. The quasi-tutorials were interactive and allowed for open discussion where both the Lab teachers and the participants shared their perspectives on the

concepts analysed and linked them to the projects at hand. Moreover, some commonly used digital tools were deployed, such as PowerPoint presentations with graphs, tables, pictures, and bullet points for gathering and organising information.

Complementary to these traditional tools, practical exercises which encouraged alternative and more comprehensive ways of thinking were utilised. For example, in creating a shared understanding on the concept of 'community' while working on the project on Community Building Events (CBE), we were tasked with graphically representing our personal conceptions of 'community.' The different representations were then compared, allowing easy identification of the various dimensions of 'community' as well as the various components which lay in each dimension. To illustrate, community was represented as i) an amalgamation of its core processes, ii) an amalgamation of its basic static characteristics, iii) as a total of its constitutive actors and relations, or iv) a combination of all the above. Among the representations, the feature of 'support' was always included. Considering which features were prevalent and which were not, facilitated our discussion on what is or is not a constitutive aspect of 'community.' During work on the Clinical Legal Education project, a similar exercise was performed, where the task was to represent the concept of a 'lab' with Lego™. Both these exercises pushed us to use visual imagery and reasoning, which is especially useful in problem-solving (Goldschmidt, 1994).

Parallel to the teacher-student communication, our learning phase included peer-to-peer collaboration in reviewing and processing the information shared with us by the Lab leaders. This peer-to-peer communication consisted of coming to agreements on the various concepts' meanings and presenting the agreed notions during the quasi-tutorials. This process entailed verbal and visual representations of each participant's perspectives, as well as the verbal and visual representation settled on by the team, or our 'Team Mental Models' as Langan-Fox et al (2001) call it. Visual representation took the form of graphs, pictures, and other schemas. These allowed the group to abstract, converge, structure, elaborate and evaluate our understandings (Briggs et al, 2001) and solidify them in our memories (Suwa and Tversky, 1997). Shared documents like Google Docs were used to coordinate our work and facilitate our asynchronous cooperation. This allowed for more effective time management. All these methods contributed towards the creation of a solid foundation of shared understanding for the team, which acted as the field on which follow-up work on the projects flourished.

2.3.2 Communication during the teaching phase

Communication styles are also closely tied to the experience of designing for community - as students of the Lab and students at the university, engaging with the student community was a core aspect of one of the projects in each cohort. Whether this involved the Community Building Events (CBE) toolkit or designing a new syllabus for the LLM, a central aspect both projects shared was identifying the needs and wants of the student community. This also involved interviewing students and organising focus groups, which required context and explaining to students the purpose of the interviews and the role of legal design in the project.

Most of the communication was done by giving context to the projects and how they related to legal design. This provided participants with a background in how to approach the topic and the ways of introducing the project and legal design before the interviews and focus groups. With this, the Lab approached teaching about legal design in a way that gave students a level of autonomy and involvement as students and teachers, as seen in methods like student-organised teaching (Bönisch et al, 2023).

2.3.3 Communication during the application stage

Learning while doing and engaging with the community also had its challenges; legal design is a complex, long term, and iterative process (Maher and Poon 1996), and one that was unfamiliar for most of the students involved in the Lab. Learning about new legal methodologies beyond the black letter legal methodology was a valuable experience and expanded understandings on making the law more accessible for individuals who interact with it on a day-to-day basis but are often excluded due to the assumptions and complexities of the law.

One of the difficulties in communicating with other students unfamiliar with legal design was the fact that throughout the process as a Lab, we were also learning about the complexities of legal design and putting it into practice. Nonetheless, as students who were completely unfamiliar with legal design, this also demonstrated the need to empathise with the students we were engaging with. We understood that the projects and legal design were not necessarily intuitive and approached the conversation from a point of view of dialogue and understanding.

It was also essential to address the misconceptions of legal design. As mentioned by Hagan, a common misconception in lawyers is to view legal design as making something '*look prettier, sharper, better*' (Hagan, 2020). Beyond aesthetics, legal design is a full-fledged process of thinking of legality and the consequences of people interacting with the law; this was also evident in the first cohort's project involving the design of a new course that would benefit the student community and respond to their needs.

2.3.4 Communication beyond the project

Another important aspect included explaining the outcome of the project to those unfamiliar with legal design was ensuring that the end-product was accessible. In designing the toolkit for the Community Building project, it was essential that our ideas and the needs and wants of the student community were clearly communicated. With this, our toolkit included text explanations along with visual codes that allowed the recipients to easily identify the issue that the section was trying to address. For example, solutions relating to the issue of information on events not being accessible had their specific icon next to them. As an additional resource, we also made a video that gave a brief overview of the project, its main objectives, and what to expect of the presentation. We believe that an essential part of explaining the output of the work was to ensure that the project remains easily accessible and explainable in the long term, so that future community building events are designed with the student community in mind as much as possible, even to those who were not involved in the process. In order to do so, Figures 1 and 2 present our thought process as well as the framing for our ideas.

CONNECTING THE SOLUTIONS TO THE PROBLEM STATEMENTS

For more convenience, the solutions presented will have an icon representing the problem statement(s) they aim to address. These will be in the upper right corner of the slides.

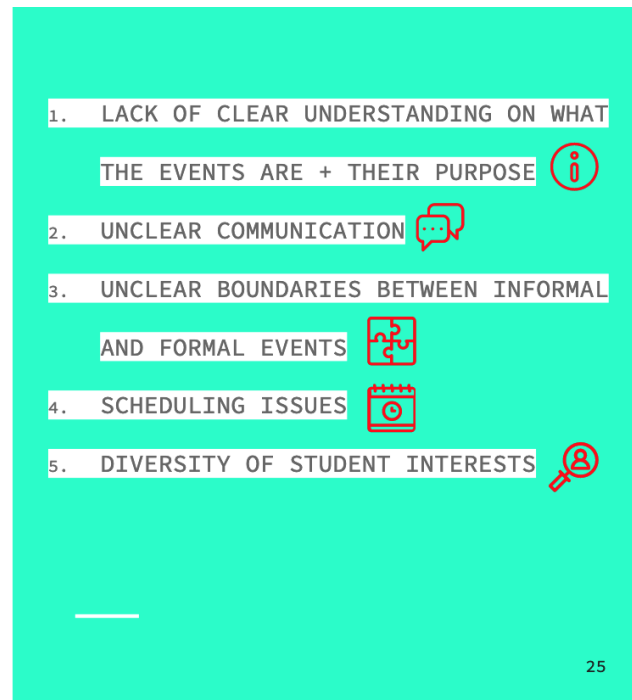


Figure 1.

Description of CBE issues and solutions

REFRAMING CBES AS A CORE ASPECT OF THE LAW & TECH LLM

- Showcasing it as a core component of the Law & Tech LLM in the relevant brochure
- Introducing it during 'registration days' through leaflets with a QR code directing to a website on CBES
- Professors can mention it in class before every CBE

Figure 2.

Partial solutions for CBE engagement

2.3.5 Communication styles and the iterative process of legal design

While we have explained the different communication styles involved in separate sections above, it is important to note that the stages of the Lab's projects overlapped and fed into each other, meaning there was no phase with a distinct beginning and end. This is a key characteristic of legal design; as an iterative process, we moved constantly between 'problem and solution spaces (...) that evolve over time' (Maher & Poon, 1996). For example, the 'learning' and 'teaching' phases significantly overlapped. To illustrate, in the first project of the second cohort, after some of the introductory sessions, the lab students started engaging with the end-users of the project to gather information on their needs and expectations and tailor the end-project specifically for them. With a good grasp of legal design but not a perfect understanding of it, the simultaneous engagement with legal design theory and its practical application allowed the participants to refine the concept through practice, which led to richer associations with it and perspectives on it.

Another instance highlighting the circular rather than linear trajectory of our process, can be identified in the refinement of the final product of the second cohort's second project. After creating and presenting our product to the end-users, we received feedback from them with regards to what was lacking, what could be improved and what should stay the same. This constituted a learning experience, which then fed into our adjustment of the product to a version closer to the one needed by the end-users.

In other words, there were no distinct moments in which we as Lab participants were solely 'students' and 'teachers' but rather followed an iterative process echoing that of legal design itself. It is important to consider that two of the key principles of legal design, according to the Design Justice Network, are the principle that the designer is a facilitator rather than an expert, and that everyone is capable of meaningfully contributing according to their lived experiences (Design Justice Network, 2018). This allowed the approach to focus on learning by doing and approaching legal design from a place of curiosity, rather than focusing on becoming experts.

3. Experience with legal design for a legal education classroom

3.1 Being an end-user (learner) and a designer

Perry-Kessaris discusses the notion of legal design as a practice that requires practical and imaginative skills, knowledge, and attitudes. She highlights the productive tension between structure and freedom inherent in legal practice, emphasizing the need to navigate this tension to foster diversity and social unity (Perry-Kessaris, 2019). One way to achieve this is by teaching law students to design communication to future clients as well as technical and legal experts on the way in which the law can mitigate the business, social, economic and security risks of new technological innovations (Compagnucci et al, 2022). Central to the Lab's approach was inclusivity in legal education. By engaging students as designers and end-users, the Lab ensured that diverse perspectives were considered in developing legal design solutions. This approach went beyond the traditional instructor-learner binary and students were able to take on the role of instructors and incorporate their own lived experiences as students and reflect on their positionality while developing solutions in all four projects.

The dual role of being an end-user and a designer presents challenges. Lawyers require practical skills and knowledge to interpret the law, accomplish tasks, motivate others, plan, and organize related activities (Perry-Kessaris, 2019). Thinking like a lawyer involves using specific reasoning techniques that lawyers consciously select, develop, refine, and prioritize. They filter out irrelevant information to identify crucial aspects of a problem and create compelling arguments. This necessitates paying close attention to opposing viewpoints and crafting arguments tailored precisely to the specific issues and desired outcomes. Both law and design are inherently social fields that stem from human actors and have recursive effects on them - their actions, interactions, and ways of thinking. They involve making choices and are never politically, economically, or culturally neutral. Legal design should be approached critically, with reference to the juristic normative commitment to avoiding, exposing, and remedying biases and inequalities, regardless of whether they originate from law, design, or legal design itself (Perry-Kessaris, 2019).

One of the rewarding aspects of our journey in legal design was engaging with individuals from diverse backgrounds. Our projects became a melting pot of perspectives, amplifying voices from different global regions and cultures. For instance, our discussions on community-building in international LLM education brought together students from the EU (European

Union) and beyond (see Figure 3). Each participant offered unique insights shaped by their experiences and contexts. This diversity enriched our understanding and expanded the scope of our designs, ensuring resonance with a global audience. By embracing inclusivity, we navigated legal challenges with greater agility and laid the groundwork for a more inclusive and representative educational landscape.

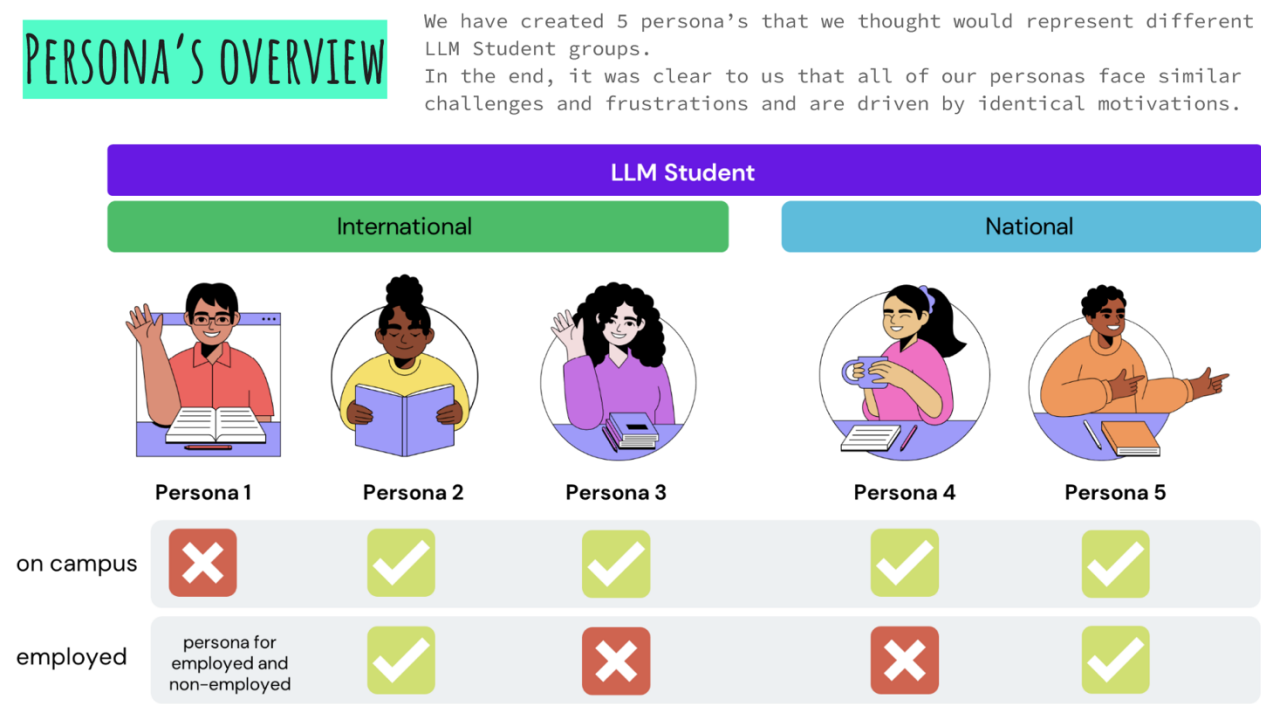


Figure 3.
Personas created through user group mapping

Legal processes are often perceived as linear due to their structured and sequential nature. Actions and decisions follow a predetermined order to ensure clarity, predictability, and consistency in proceedings. Unlike linear legal processes, legal design requires constant feedback and refinement - a continuous cycle that promotes improvement. While we acknowledge that our projects may not have fully embraced iterative design, we applied key principles throughout our work. For example, we prioritized user-centered approaches by conducting interviews and creating personas to ensure that user voices shaped our designs. Furthermore, our projects focused on real-world issues, considering the impact of design choices on end-users. Despite limited time, we remained committed to understanding user needs and refining our solutions, demonstrating our application of legal design principles.

During the project on Community Building, we aimed to address a wide range of perspectives and needs. Initially, our team was divided into two distinct groups, each with its own perspective on the project. When we merged these approaches, clashes in insights and methodologies emerged, revealing the complexities that arise when combining different viewpoints (see Figure 4).

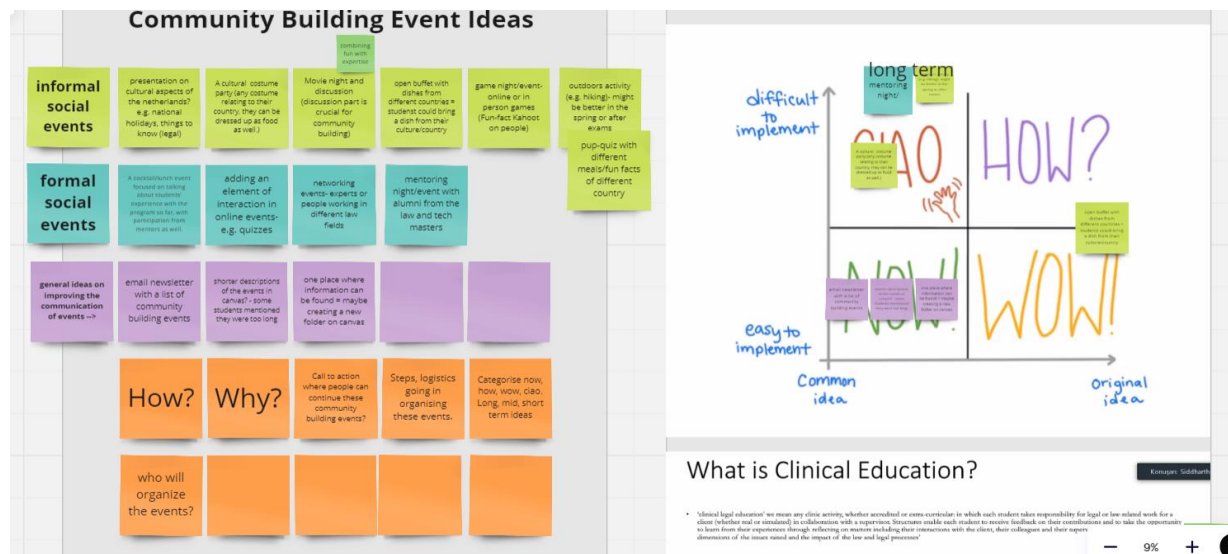


Figure 4.
Brainstorming potential solutions for CBE's

One group focused on the technical aspects of community-building in Law & Technology education, while the other explored the socio-cultural implications. These differing perspectives sparked intense discussions and highlighted conflicting priorities within the project scope, for example, the target users. However, as we synthesized our findings, it became evident that each team had identified important aspects of the problem space. Resolving these differences required compromise and negotiation, but it resulted in a more nuanced and inclusive toolkit (our final product) that addressed a wider range of user needs and preferences (see Figure 5).



Figure 5.
Description of the CBE attendance solution process

3.2 Practicing Reflexivity

Legal design was a new methodology for most members participating in this Lab, as it is not a methodology covered in the standard LLM curriculum. Getting acquainted with legal design, although deeply enriching, was a steep learning curve – embracing the design methodology required openness, creativity, and a significant degree of continuous assessment of our thought processes, arguments, and conclusions, as well as probing and limiting the biases we each brought into the process. In Kolb's work, experiential learning theory is a cycle that starts with concrete learning, moving to reflective observation, abstract conceptualization, and active experimentations, which would lead again to a concrete learning experience (Kolb, 1984). It is safe to argue that reflectivity and reflexivity are essential to the learning theory cycle – the former is expressly delineated as part of the theory while the latter is an implicit component – as was experienced in the Lab's classroom.

Reflectivity entails a continuous reflection on the effects of one's actions, assumptions, etc., whereas reflexivity concerns one's awareness of biases and subjectivity and how that influences a process (Fook, 2014). Both processes influence outcomes, which was evident and essential during the projects of the Lab. This section will refer to both processes collectively as reflection since they were employed simultaneously throughout the Lab experience.

Legal design literature, particularly that concerned with social issues, places great importance on issues of reflexivity and reflectivity with such components as means to achieve more inclusive design. For example, De Souza and Gupta, discuss the complexities surrounding the needs of marginalized groups through the method of storytelling – such a method preserves the complexity of the groups' circumstances allowing for more inclusive design outcomes, that consider details and specific entanglements in relation to particular marginalized groups (De Souza & Gupta, 2023). Such a storytelling method is a form of reflection that provides important feedback to designers, facilitating more just outcomes. Collaboration and exchange of ideas – methods which were used in our Lab – are also crucial methods of reflection, that open a designer's mind to new possibilities and perspectives that can positively influence design outcomes (De Souza & Hahn, 2023).

In both cohorts of the Lab, the student groups were diverse, with varying backgrounds, experiences, and frames of reference. That was conducive to continuous reflection in the group, as we engaged with the Lab's literature and projects and during the dialogue between students and teachers. The Lab classroom provided the space to expand the parameters of our thinking – by constantly asking questions such as How? Why? and What if? to engage in meaningful and inclusive designs for the end user. During our sessions, we probed our thoughts and ideas, which given our diverse backgrounds, differing ideas, and way of thinking, has led to interesting insights and recognition of personal biases – which was a contrast to traditional legal methods that rely on technical analysis, rationality and logic-based analyses.

Frameworks such as the *4P's Framework*, developed by De Souza and Chhajer for the *D-Van* (The D-Van, 2020) were vital in navigating the design process but also allowed us to systematically reflect on the design process. The *4P's Framework* concerns four elements of the design process, namely defining the *problem*, the *people*/end users and their wants, the *possibilities* of what can be created, and lastly, the building of the end *product*/service. This framework offered a way to navigate the design process, all the while allowing plenty of room for creativity. For example, in the Community Building project lively discussions took place on what would the end user (in this case Law students) seek from such events.

In addition to the continuous discussions and engagement with the literature, reflection and reflexivity occurred through other means during the Lab. Continuous feedback from end-users was paramount in all four projects. For instance, in the Justice Dashboard Framework Project continuous feedback between the students and the NGO was essential to provide a useful, just, and culturally appropriate end-product. As the end-product was aimed at improving elements of access to justice in India – across varying states in the country with many differences among them, including language, societal issues, and culture – it was important to understand the meaning of *access* in a way that envisages the problems and solutions for the users in question, despite the fact that the designers were not immersed in that particular context.

A similar human-centred approach and use of feedback loops were utilized in the Lab 's Community Building Events project. As part of the data collection phase, we outlined the several types of stakeholders in the community to be represented in our final design solution, and subsequently conducted interviews with the different types of student community members. See Figure 6 below for an illustration of the user group mapping activity. The data gathered from these interviews allowed us to better understand the needs of different user groups regarding extracurricular events that may provide value to their studies or future job search, as well as to student requirements regarding the format in which the information should be displayed and delivered. This process also allowed us to develop our data collection, organization, and analysis skills.

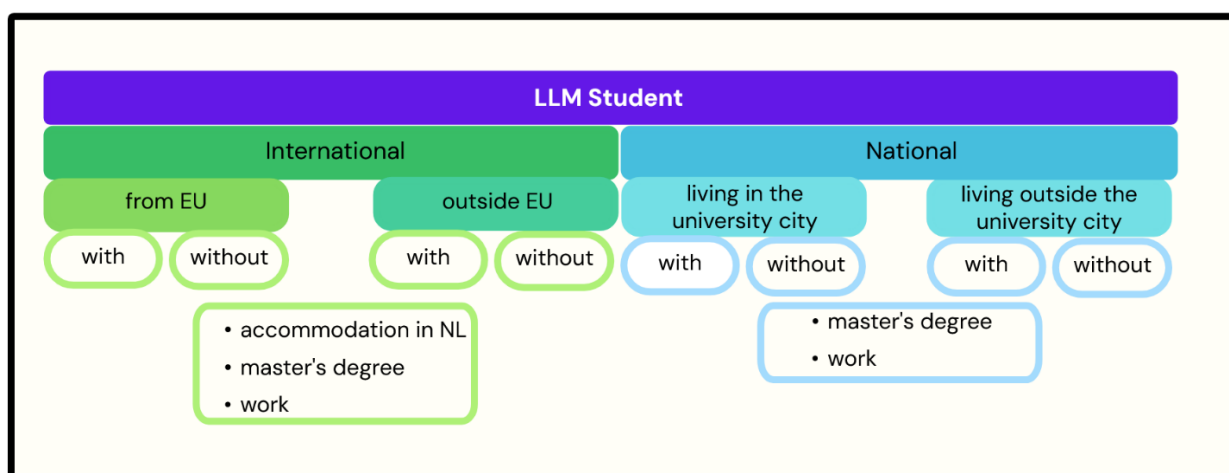


Figure 6.

User group mapping: Who is the LLM student?

In the work of the Lab, the participants' deliberations did not stop at Kolb's second step of reflective observations. Rather, the participants focused on transforming these learnings into concrete solutions by building on the feedback provided by teachers and other entities that participants engaged with during workshops and events, and subsequently observing the effectiveness of those solutions. This is seen clearly, for instance, in the creation of tangible outputs such as the Justice Dashboard Framework in the form of a report at the destination of an NGO and the Clinical Legal Education Canvas, elaborated on in the following section.

3.3 Unpacking concepts and peer to peer learning

A common issue with courses focusing on legal topics in Europe is that they tend to focus on one point of view, usually European, and discard other points of view. Failure to acknowledge diverse cultural learning systems and accumulation of research and information would be

assuming that Western/European ideas are the only rational and effective ones and cause the education to be taught ‘through imperial eyes’ (Smith, 2021).

The use of design as a methodology brought with it the possibility to interrogate, unsettle, and challenge popular ways of being and doing things (Dunne & Raby, 2008). In our work at the Lab, we were keen to challenge assumptions that we brought to the table, examining how our own preconceptions provided particularities and limitations to how we saw the world. The Lab aimed to provide law students and lawyers alike with a distinct perspective other than theory by engaging them with real-life work experience, developing local legal capacity and increasing the spirit of social justice (Open Society Justice Initiative, 2009).

For instance, in our ‘Curriculum’ project, we began by ascertaining if, as a group, we had similar or dissimilar understandings of what the terms and concepts in the project were. We worked together to see if we could find a common vocabulary, based on our experiences and training, as well as positionalities as students and teachers, so as to avoid doing this in a performative way or diluting the purpose of being reflexive (Gani & Khan, 2024).

In the exercise, law was seen to relate to ideas of justice, rules, order, authority, regulation, power, protections, norms, and sanctions. Technology was associated with innovation, progress, usefulness as well as being future-oriented. While marginalization was described as having attributes related to polarisation, exclusion, bias, vulnerability, and difference. Unpacking these terms did not get us closer to cohesion, but it demonstrated the layered ways in which, even as a group, we saw the problem. Embracing multiplicity provided a departure from certainty that comes with much of what we understand legal practice to be. In fact, with this multiplicity, came a messiness, that required us to engage with law in how it emerges in practice, with plural understandings and traditions (Darian Smith, 2013). The prevalence of contestation both in terms of our views, but also of how we saw the project offered the possibility to see how far we were conforming and in what ways could we be transgressive to the status quo, in this instance related to legal education.

Following the exercise around common vocabulary, we employed the use of another game, the ‘5 Whys?’, a brainstorming exercise to understand the root cause of a particular problem. The exercise is simple in its design and asks participants to ask ‘Why?’ five times. For us this involved asking ‘Why do we need a course on law, technology and marginalisation?’ This exercise revealed unique needs for such a course. These included addressing questions about the completeness of a law and technology education without a course centered around human rights, examining why understanding marginalization would enable a deeper understanding of legal technology, to solution-oriented perspectives on how to address problems of marginalization through regulation and compliance.

As the approaches demonstrate, unpacking and challenging concepts offered many different paths around which the project could have been developed. Embracing this openness was essential because it involved unlearning before making things concrete again. A common refrain at this stage of this project, and the other Lab projects, was a sense of unease amongst both students and teachers. We were concerned if the project was still manageable and doable, if it was becoming too general, if it had lost clarity and if it needed pragmatism to make it practical. Sitting with this unease became an important takeaway of the design process. It revealed that engaging with problems required not finding solutions to them immediately, but engaging in pausing, and exploring why they may exist at all. Further, it implored us to think whether we understood the problem enough, and moreover, if we were capable, and well placed to do such work. Such unease also provided participants with an opportunity to explore

suitable avenues through which they could transform their observations and learnings into a suitable solution and is seen as a recurring conceptualisation stage (Kolb, 1984).

In the project on clinical legal education, we decided to develop a guide for people who would like to build their own legal clinics, since we believed that these are tools to improve access to justice and legal education. To reach as many people as possible, we chose the format of a 'Clinical Education Canvas'. This design format was inspired by the 'Research Impact Canvas' prepared by Benedikt Fecher and Christian Kobsda where they aimed to develop a structured guide to plan science communication activities (Fecher & Kobsda, 2019). The main reason for our choice was that this design allows both a more general and a specific view on the topic, and it provided an easy-to-digest set of information for everyone. Since our design also aimed to aid people from step one as well as support them in specific steps they struggle with without overwhelming them with information.

When designing the Canvas, we put together the evidence we collected during the project – such as knowledge of clinical education labs of other universities, our review of existing clinical education practices online and our own expectations and challenges. Based on these findings, we categorized the main challenges people who want to build a clinical education system might face, and tried to come up with leading questions that led us to the answers in our journey.

First, applying legal design introduced us to a learning technique that law students are not familiar with: Understanding a problem thoroughly with three different layers (issues, methodologies, solutions) to determine a roadmap. Traditional legal lectures often focus on one aspect of the problem (issue itself) without giving sufficient historical or methodological background, such as how the initial problem arose, what type of processes were explored and tried-and-failed solutions. This half-introduction – especially since it usually ends up being fully theoretical – does not provide sufficient understanding of the nature of the problem.

In efforts to design the framework for a clinical education lab, we discussed challenges faced by other labs encountered during their lifecycle (some older than 5 years). Comparing the issues they faced to our challenges gave us a better understanding of the problem. Furthermore, the exchange of ideas, provided us with a better view of successes, and pitfalls that arise. Adding this knowledge into the desk research on clinical education labs helped develop a deeper understanding of the flow and challenges of these labs.

This Canvas (see Figure 7) was designed to include insights we collected from legal clinics operating in different areas, our research of academic resources and our own experiences while participating in a legal clinic.



Figure 7.
Clinical Education Canvas

As a group with very diverse geographical and educational backgrounds, everyone brought their own accumulated knowledge, allowing us to go beyond a single problem-solving method. As established in a study by Toohey, Moore and Rayment, people coming from different

educational backgrounds such as lawyers, academicians and students, have different approaches and understanding of what might consist of a solution to a given problem (Toohey, Moore & Rayment, 2023). It was also put forward in the same study that not just the approach to the solution, but the approach to methods also changes based on the educational background of the participants (Toohey, Moore & Rayment, 2023). As a manifestation of these findings, throughout the project, we saw how our different backgrounds brought together different ideas and positions about the issue at hand. Even when the problem seemed straightforward, our diversities proved otherwise. For example, deciding on the structure of the Canvas and the information that we prioritized was different. Even when we decided on which issues we would like to include on the Canvas, we saw that the reasons we had were not always the same. It was an enriching experience to understand how people from different legal, cultural, and educational backgrounds can assess the same situation very differently and come up with diverse suggestions for solutions, which added to the quality of the project.

It is often that we encounter a lack of perspective in traditional legal education due to its insufficiency in recognizing different legal approaches. The process of preparing the Canvas was a good practice to see how we can implement the diversities we have in our backgrounds to enrich solutions to a problem. One of the most important tools we had in gathering this knowledge and using it together was peer-to-peer learning, defined as *‘the process in which two-way reciprocal learning environments facilitate the sharing of knowledge ideas and experience’*, in other words, individuals working together exchanging knowledge and experience to later implement this in their work for better impact (Andrews & Manning, 2016; Stigmar, 2016).

While it is understandable that this method is used less than traditional teaching methods due to its more complex organisation, it facilitates interpersonal exchanges to improve students’ critical thinking, learning autonomy, motivation, and collaborative and communicative skills (Andrews & Manning, 2016; Stigmar, 2016). This type of experiential learning requires students to participate through observing, synthesizing, and implementing the information they gained (Brusa, 2019). Implementing this technique in classes through group work that encourages students to bring their own backgrounds to develop a creative solution might be helpful to improve traditional legal education. Even though it is hard to implement all points of view in lectures, students can still be encouraged to bring their own perspectives to enrich the experience of legal education.

Preparing a Canvas introduced us to aspects of legal education that we did not know existed before: having a comprehensive and complete understanding of a problem that is essential experiential learning and to provide a solution to it, and the ability to put our diversities onto the table as an enriching exercise to examine the problems and define methodologies and solutions.

4. Conclusion

The Lab experience was designed to empower students to take the lead on the projects of the Lab and have room to be creative with solutions and problem-solving. This was in addition to learning the value in engaging in continuous reflectivity and reflexivity and its positive impacts – namely how probing one’s assumptions, solutions, biases, and actions can lead to revelations not initially foreseen. It encouraged students to decide how to utilize desk study, interviews and workshops that could increase their legal knowledge as much as their creativity in providing solutions for the issue they were presented with. To achieve these objectives, within the two

cohorts (each consisting of two projects), students were either the end-user or designer for an external partner, to guide their ability to identify appropriate problem-solving strategies.

Experiential learning has been shown to facilitate the development of students' educational potential through a focus on passion and talent (Amalia, 2021). Through making the classroom inclusive, we aimed to benefit all students by providing a rich learning environment that values diversity and promotes understanding of different perspectives. As the late Malcom X stated, 'The future belongs to those who prepare for it today'. This quote is highly reflected in the projects run by our Lab wherein we emphasized preparing Law students for 'life after Law School' by encouraging differing educational and research methods than typically utilized in an LLM program.

The foray into legal design highlighted the imperative of centering marginalized voices and balancing diverse perspectives, showcasing its transformative potential for reshaping the legal landscape. Therefore, collaboration emerged as the cornerstone of our journey, essential for fostering innovation and inclusivity in legal design processes. The Lab's projects demonstrated how legal design could be a powerful tool for fostering an inclusive learning environment. By prioritizing the voices of students and community members, the Lab ensured that the solutions developed reflected the diverse needs and experiences of those they aimed to serve. This approach promoted inclusivity and equipped students with the skills necessary to navigate the complexities of the modern legal landscape, where understanding and addressing marginalization is crucial.

The implementation of the projects is a long-term process, and the projects are still relatively too new to fully assess the extent of their impact. Nonetheless, there are already some positive effects that can be seen. For example, participants of the Legal Clinic Canvas expressed the usefulness of the Canvas for universities wishing to set up a Lab in the future, and provided valuable feedback on the first prototype that was later implemented.

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