LEGAL DESIGN JOURNAL

Volume 2 Issue 1 2025

Why Are We Even Teaching 'Legal Design Courses'? A Critique of the Pedagogical Simplification of Legal Design

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Abstract

This article offers an insider's critique of how legal design is taught in law schools. While stand-alone 'Legal Design' electives can open doors—introducing user research, prototyping, and clearer communication—the course-as-container contradicts design's own logic and a competency-based vision of legal education. A single touchpoint, however inspiring, is a new form in an old process: it performs innovation without redesigning the learning journey. Drawing on experience, the paper reframes legal design not as a bounded topic but as a transversal competence that integrates knowledge, skills, and attitudes. It situates the field in a longer genealogy of efforts to make law intelligible and usable, and diagnoses the recent proliferation of packaged offerings as a marketable response that risks methodological dogmatism, peripheral placement, and weak constructive alignment. In place of innovation theatre, the article proposes architectural moves that align means and ends: rewrite rubrics so readability, audience fit, accessibility, and iteration are assessed where they already should matter; scaffold non-expert colleagues through lightweight toolkits, micro-workshops, and student fellows; sequence learning from exposure to guided application to autonomy; create interdisciplinary spaces for co-making; and monitor curricula as designers would, with feedback loops and evidence of transfer. The claim is aspirational but pragmatic (a dream with constraints), arguing that law schools should keep the door (the elective) but build the house (a curriculum that makes design-inflected performance visible and gradable across contexts). The prize is not another module, but graduates who can shape lawful solutions that are usable, equitable, and responsive to human needs.

Keywords: Legal Design, Legal Education, Legal Pedagogy, Innovation in Law, Transversal Competencies

Introduction

In recent years, legal design has been heralded as a user-centred, interdisciplinary way to address persistent dysfunctions in law—opaque language, inaccessible procedures, barriers to justice[1]. I first encountered it midway through my law degree and felt, as many have, that it

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[1] Miso Kim, Dan Jackson and Jules Sievert, *Legal Design: Dignifying People in Legal Systems* (Cambridge University Press 2024).

might rehumanise legal work and learning. Since then, I have moved between practice and teaching, designing and co-teaching courses across the curriculum—contracts, securities, constitutionalism for non-lawyers—and facilitating a Legal Service Design course that anchors many of the reflections that follow. In each of these classrooms, I have tried to teach innovatively: to place users at the centre, to translate doctrine into intelligible artefacts, and to iterate on my own materials. More recently, I have participated in a broader conversation about curricular transformation at Universidad de los Andes (Colombia)—a rigorous, generous effort that has deepened my sense of what legal education already does well and what it still struggles to do.[2] This article grows out of that experience: not as an external critique, but as an invitation from within to think more carefully about what we are doing when we teach legal design.

The thesis I advance is deliberately simple and, I hope, intuitively compelling: packaging legal design as a discrete, self-contained course is contradictory to the logic of design itself and misaligned with a competency-based vision of legal education. If, when we design legal services, we insist on mapping the user journey, aligning touchpoints, iterating with feedback, and integrating insights across contexts, why would we not adopt the same posture toward the curricular experience of our students? A single elective can certainly be a valuable touchpoint; it cannot, by itself, redesign the journey. To treat legal design as a bounded unit—a semester's worth of empathy interviews or a sprint of prototyping—risks mistaking the map for the terrain and the toolkit for the competence.

This is, admittedly, an argument that carries a measure of aspiration. What follows is a proposal in the spirit of design: a sketch of a better fit between means and ends that I recognise is costly, incremental, and difficult to implement. It requires institutional time and care; it also asks us, as teachers, to change our habits. In that sense, what I offer is a dream with constraints: a vision that must be negotiated with crowded syllabi, accreditation requirements, staff capacity, and uneven resources. But dreams, to be useful, should be specific. Mine is this: that law schools move from treating legal design as a marketable module to cultivating legal design as a transversal competence—knowledge, skills, and attitudes—made visible and assessable across doctrinal, procedural, and clinical education.

My positionality in making this claim matters. I write as a law teacher who has designed and taught a Legal Service Design courses and who appreciates, from the inside, the joys and limits of the classroom format. A well-run course can open doors: students encounter research with users; they practise clearer communication; they learn to make and test things, not just discuss them. Yet at semester's end, I am often left with the sense of having done only half the job. Students glimpse a way of working that the rest of the curriculum does not consistently recognise or reward. The course becomes a vivid exception rather than a new normal. My experience in other courses—contracts, securities, public policy—confirms the same pattern from a different angle: one can integrate design-informed assignments (redesigning clauses for readability; mapping procedural pain points; testing plain-language explanations) and still collide with assessment regimes and learning outcomes calibrated to a content-first paradigm. These are not failures of any single course or faculty. They are symptoms of a deeper misalignment between what design promises and how curricula are built.

That misalignment is easiest to see through a design lens. When we redesign a service in a court, we do not simply add a friendlier form and declare victory. We study the people who use the system; we map the flow; we identify friction; we iterate on multiple touchpoints; we align

[2] Eleonora Lozano Rodríguez and David Orlando Niño Muñoz, 'Learning Law Through Experience and the Development of Competencies: The Case of the Law School at Uniandes' (2025) 6 European Journal of Legal Education 291.

incentives and measures with desired behaviours. We understand that a new form without a new process, or a new channel without a new rubric, is likely to disappoint. The same holds for education. A stand-alone legal design class added to an otherwise unchanged programme is a new form in an old process. It can be inspiring and still insufficient. It teaches a method that the rest of the curriculum neither scaffolds nor assesses, leaving students with an isolated experience and staff with no systemic levers to consolidate learning.

The article proceeds in four moves. First, I situate legal design within a longer genealogy of efforts to make law intelligible and usable, and I diagnose the recent proliferation of packaged legal design courses as an understandable, but ultimately reductive, response to institutional pressures. Second, I articulate my pedagogical stance—competency-based education—and use it to clarify what is at stake when we choose between adding a course and redesigning a curriculum. Third, I examine the costs of the course-as-container model (methodological dogmatism, marginalisation from core subjects, and weak constructive alignment) and develop the positive case for legal design as a transversal competence. Finally, I sketch practical pathways: from quick wins (reworking rubrics so that readability, accessibility, and iteration count where they should already count) to medium-term scaffolds (teaching support, co-teaching models, communities of practice) to longer-term redesign (curricular hubs that seed and connect design-infused work across subjects).

None of this denies the value of an introductory course as a door-opener. Doors, however, are not houses. If the promise of legal design is to form lawyers capable of engaging complexity with humility, collaborating across disciplines, and designing legal solutions responsive to human needs and social justice, then our task is architectural. We must design the learning journey, not just add another stop.

State of the Art and Problem Diagnosis

Any debate about how to teach legal design must begin by clarifying the object of instruction. Following Margaret Hagan's widely cited characterization, legal design refers to the application of human-centred design methods to legal information, services, and systems, aiming to make them clearer, more navigable, and more responsive to users' needs.[3] On this view, legal design is not a free-standing academic subfield but rather a disciplined approach to legal problems through research with users, problem framing, ideation, prototyping, and testing. I will be precise about the relationship between methods and dispositions: legal design is indeed a set of methods—interviews, journey maps, service blueprints, low- and high-fidelity prototypes, usability testing—that both reflect and cultivate certain professional dispositions (empathy, reflexivity, collaboration, comfort with iteration).[4] Methods can be taught and assessed; dispositions can be scaffolded and made visible through those methods. Throughout this article I treat 'legal design' in that dual, mutually reinforcing sense.

While the label is recent, the impulse is not. Its genealogy runs through efforts to simplify and codify law for public comprehension; through work on legal visualisation and multimodal communication (e.g. Brunschwig);[5] and through the turn to service and systems design that foregrounds end-user experience in complex institutions. Contemporary practice extends these threads into court services, administrative procedures, contracts, and public-facing information, often with measurable gains in clarity and uptake. This brief genealogy matters

[3] Margaret Hagan, *Law by Design* <https://lawbydesign.co/legal-design/> accessed 29 June 2025.
[4] 'I is for Ideation' (*Beginners Guide to Design Thinking*, Spotify, 2 May 2023) <https://open.spotify.com/episode/2wOxvWCuConQB15F1CoqOk> accessed 19 November 2025.
[5] Colette R Brunschwig, *Visualisierung von Rechtsnormen: Legal Design* (Schulthess 2001).

because it situates legal design not as a fashionable novelty but as one pragmatic answer to a long-standing question: how do we make law intelligible and usable without sacrificing legitimacy or precision?

A final terminological clarification will help keep the analysis focused. Legal design is frequently conflated with legal tech (automation, document assembly, AI-assisted research) or with technology policy for lawyers.[6] These are adjacent but distinct. Technology supplies means; design articulates problems worth solving and criteria of value (usefulness, accessibility, justice). The two can and should meet, but they are not the same curricular object.

Against that backdrop, the most visible educational response of the past decade has been the proliferation of stand-alone offerings marketed as 'Legal Design,' 'Design Thinking for Lawyers,' or 'Legal Service Design'—in continuing education, executive programmes, and increasingly as law school electives.[7] I have designed and taught such courses, and I have also participated in non-degree workshops. Many are rigorous, thoughtfully run, and genuinely transformative for students. They do important work: they introduce methods most students have never encountered, and they let students make things—forms, flows, prototypes—rather than only analysing texts.

Yet the same trend raises a concern that motivates this article. As legal design has been translated into an attractive 'product,' the course format has too easily become the container into which innovation is poured. Syllabi promise mastery of a linear, standardised method in a compressed window ('empathise–define–ideate–prototype–test'); providers advertise a ready-made 'toolkit.' In executive education this packaging is understandable: time is short, demand is high, marketing must be legible.[8] In degree programmes, however, the course-as-container risks banalising the very thing it seeks to advance. It invites a misconception—that design is a bounded content area rather than a competence requiring repeated practice across contexts—and it can license institutional complacency ('we offer legal design') without engaging curricular architecture.[9]

The recent spread of 'legal design' in legal education has unfolded alongside a broader commodification of innovation: activities and offerings that perform novelty for brand value, recruitment, or rankings while leaving teaching structures, incentives, and assessment largely

[6] Riikka Koulu and Jörg Pohle, 'Legal Design Patterns: New Tools for Analysis and Translations Between Law and Technology' (2024) 3 Digital Society 22 <https://doi.org/10.1007/s44206-024-00109-y> accessed 30 September 2025.

[7] 'Legal Tech: The Lawyer of the Future' (Coursera) <https://www.coursera.org/learn/legaltech> accessed 29 June 2025; Legal Design School <https://www.legaldesignschool.com/> accessed 29 June 2025; 'Legal Design y Nuevas Tecnologías en Servicios Legales 2025' (Universidad del Rosario Educación Continua) <https://educacioncontinua.urosario.edu.co/jurisprudencia/seminario/legal-design-nuevas-tecnologias-servicios-legales-2025> accessed 29 June 2025; 'Legal Design: Contratos Visuales' (Lex Rock Digital) <https://lexrockdigital.com/producto/legal-design-contratos-visuales/> accessed 29 June 2025.

[8] Soovendran Varadarajan, Joyce Hwee Ling Koh and Ben Kei Daniel, 'A Systematic Review of the Opportunities and Challenges of Micro-Credentials for Multiple Stakeholders: Learners, Employers, Higher Education Institutions and Government' (2023) 20(1) International Journal of Educational Technology in Higher Education 13 <https://doi.org/10.1186/s41239-023-00381-x> accessed 30 September 2025.

[9] Armend Tahirsylaj and Daniel Sundberg, 'Five Visions of Vompetence-Based Education and Curricula as Travelling Policies: A Systematic Research Review 1997–2022' [2025] Journal of Curriculum Studies <https://doi.org/10.1080/00220272.2025.2492605> accessed 30 September 2025; Ania Cravero and others, 'Meta4CBC: Metamodel for Competency-Based Curriculum Design in Higher Education' (2024) 14 Applied Sciences 10110 <https://doi.org/10.3390/app142210110> accessed 30 September 2025.

unchanged. This is the familiar pattern of innovation theatre[10]—high-visibility rituals (weekend sprints, hackathons, toolkits, badges) that are easy to advertise and accredit but hard to translate into durable learning. In this market, design is packaged as a standardised product: a canvas to be filled, a five-stage method to be 'mastered,' a certificate to be earned. The course becomes a commodity rather than a scaffold—an item in a catalogue rather than a contribution to a sequenced competence.[11]

The effect is to perform innovation instead of governing it. Rather than revising rubrics, spreading iterative assignments across core subjects, or realigning incentives so that clarity, audience fit, and revision are rewarded, institutions add a showcase elective and declare success. It produces visibility without transfer: students experience a memorable method in one room, but the surrounding curriculum neither demands it nor assesses it. To resist this commodifying drift, the locus of analysis must move from activity to architecture—from adding offerings to aligning outcomes, tasks, and assessment across the programme.

Two contextual observations sharpen the diagnosis. First, most of these offerings live at the periphery: short courses, non-credit workshops, or optional electives. Mandatory, degree-integrated legal design experiences are rarer than, for example, emerging requirements in law and technology. Second, where integration does occur, it is often adjacent (a clinic, a capstone) rather than pervasive (embedded tasks and rubrics in core doctrinal and procedural subjects). The result is an uneven landscape in which students may have one vivid encounter with design but little opportunity to consolidate or be rewarded for design-informed performance elsewhere.

At this stage, the issue extends beyond institutional location—whether periphery or core—and integration mode—adjacent or transversal. It concerns the underlying pedagogical logic that defines what qualifies as valid learning. Put differently, the incorporation of legal design depends on the broader conception of teaching law: is it primarily about transmitting bounded bodies of knowledge, or about cultivating transferable capacities that integrate knowing, skills, and attitudes? This distinction between pedagogical paradigms frames the reconsideration of legal design's role within the law curriculum.

The risk that any novel methodology becomes a 'box to tick'—a weekend workshop or a standalone elective that performs innovation without altering a student's core learning journey—is a persistent challenge in curricular design. This trivialisation trap is not unique to legal design; it reflects a deeper structural issue. Even legal education's most revered experiential models, while indispensable, have inherent limitations that can leave a significant competency gap. Moot court competitions, for instance, excel at developing appellate advocacy and analytical rigour but are often critiqued for their lack of realism and narrow focus,

[10] Lee Vinsel and Andrew L Russell, *The Innovation Delusion: How Our Obsession with the New Has Disrupted the Work That Matters Most* (Penguin Random House 2020); Steve Blank, 'Why Companies Do "Innovation Theater" Instead of Actual Innovation' (Harvard Business Review, 7 October 2019) <https://hbr.org/2019/10/why-companies-do-innovation-theater-instead-of-actual-innovation> accessed 30 September 2025; Cristian Granados, Yarid Ayala and Monica Ramos-Mejía, 'Is it Substantive or Just Symbolic? Understanding Innovation Theater in Organisations: The Case of Technology-Based Innovation' (2024) 129 Technovation 102880 <https://doi.org/10.1016/j.technovation.2023.102880>.

[11] Henry A Giroux, 'Neoliberalism's War Against Higher Education and the Role of Public Intellectuals' (2015) 10(34) Límite. Revista Interdisciplinaria de Filosofía y Psicología 5; Brian Z Tamanaha, *Failing Law Schools* (University of Chicago Press 2012); Margaret Thornton, *Privatising the Public University: The Case of Law* (Routledge 2012).

which may not cultivate skills in client counselling, collaborative problem-solving, or factual investigation.[12]

Legal clinics, the gold standard for practice-readiness, offer invaluable, real-world experience but are not a panacea; their necessary focus on individual client representation does not automatically equip students with the tools for systemic analysis or the design of scalable, preventative solutions.[13] Acknowledging these limitations is not a critique of these essential pedagogies but a recognition that they are insufficient, on their own, to develop the full spectrum of competencies required of the modern lawyer.

This competency gap is becoming more acute as law schools face growing pressure to cultivate a new suite of professional capacities that extend beyond traditional legal knowledge and skills. The realities of a globalized economy and an increasingly international client base have made the development of 'global competencies'—such as cross-cultural communication, familiarity with diverse legal systems, and the ability to navigate transnational issues—a core requirement, not an elective specialty.[14] Simultaneously, a parallel movement is calling for greater emphasis on 'relational competencies,' a framework encompassing the intra-personal skills of self-awareness and reflection, the interpersonal skills of empathy and effective communication, and a systemic awareness of power, privilege, and structural bias.[15]

This demand is not merely academic; it is a direct response from the profession and a reflection of revised accreditation standards that compel law schools to define and assess learning outcomes that produce more effective, ethical, and human-centred practitioners.[16]

It is precisely this documented need for new competencies that reframes the role of legal design in the curriculum. Understood not as a bounded topic but as a transversal methodology, legal design offers a powerful pedagogical response. Its core methods are, in effect, applied practices for developing the very global and relational skills that are in high demand. User-centred research is a disciplined pedagogy for empathy and cross-cultural understanding. Stakeholder mapping and systems thinking are practical tools for analysing the complex, interconnected dynamics that define global legal problems.

The iterative processes of co-creation and prototyping build capacities for collaboration, communication with non-experts, and resilience in the face of ambiguity—skills essential for any lawyer working on novel or systemic challenges.[17] In this light, legal design is not another

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[12] Louise Parsons, 'Competitive Mooting as Clinical Legal Education: Can Real Benefits be Derived from an Unreal Experience?' (2017) 1(1) Australian Journal of Clinical Education <http://epublications.bond.edu.au/ajce/vol1/iss1/4>.

[13] Mairi N Morrison, 'May It Please Whose Court: How Moot Court Perpetuates Gender Bias in the Real World of Practice' (1995) 6(1) UCLA Women's Law Journal <http://escholarship.org/uc/item/1zs4h3nz>; Sivani J Nair, 'Clinical Legal Education as a Catalyst for Legal Competency: Moving Beyond Traditional Internships' (2025) 10(4) International Journal of Innovative Science and Research Technology 1768 <https://doi.org/10.38124/ijisrt/25apr286>.

[14] Theresa Kaiser-Jarvis, 'Preparing Students for Global Practice: Developing Competencies and Providing Guidance' (2018) 67 Journal of Legal Education 949.

[15] Susan L Brooks, Marjorie A Silver, Sarah Fishel and Kellie Wiltsie, 'Moving Toward a Competency-Based Model for Fostering Law Students' Relational Skills' (2022) 28 *Clinical Law Review* 369.

[16] Neil Hamilton and Jerome Organ, 'Learning Outcomes that Law Schools Have Adopted: Seizing the Opportunity to Help Students, Legal Employers, Clients, and Law Schools' (2024) 73 Journal of Legal Education 85.

[17] Margaret Hagan, 'Design Comes to the Law School' in Catrina Denvir (ed), *Modernising Legal Education* (Cambridge University Press 2020).

subject to be added to the list; it is a cross-cutting set of practices that can operationalize the development of these essential, modern competencies across doctrinal, procedural, and clinical contexts.

However, for legal design to function as this connective tissue rather than becoming another isolated elective, its integration must be architectural. This is where a competency-based framework becomes indispensable. To avoid the trivialisation trap, the development of design-inflected skills must be made explicit, sequenced, and assessable throughout a student's entire learning journey.[18] A competency-based approach provides the necessary pedagogical spine, moving from initial exposure in an introductory course to guided application in doctrinal subjects and culminating in autonomous performance in clinics or capstone projects. This structure ensures that learning is transferred and consolidated, rather than remaining siloed in a single, memorable experience.[19] Such a framework does not replace or diminish the value of moots or clinics; rather, it reinforces them by equipping students with a complementary skill set that enhances their ability to problem-solve, collaborate, and innovate, thereby filling the competency gap and more fully preparing them for the multifaceted demands of contemporary legal practice.

> In a **content-based paradigm**,[20] courses are primarily vehicles for transmitting bodies of doctrine. Success is measured by coverage and recall: did students learn sales, trusts, leases, and the rules and procedures that govern them?
>
> In a **competency-based paradigm**,[21] courses are means to develop demonstrable capacities that integrate knowledge, skills, and attitudes (KSA). Success is measured by performance against criteria: can students do something valuable with doctrinal accuracy, and how do they do it—with clarity, empathy, and ethical awareness?

Both paradigms value knowledge. They differ on what counts as sufficient evidence of learning and how that evidence is generated and assessed.

This distinction reframes the status of legal design. In a content-first paradigm, legal design looks like an optional topic that can be covered (or not) in a bounded unit. In a competency-based paradigm, legal design is better understood as a transversal competence[22]—a composite of KSA that can enrich how students learn and use doctrine in multiple sites. On this view, the question is not 'Should we add a design course?' but 'Which competences do we want our graduates to demonstrate, and how will multiple courses, tasks, and assessments—taken together—develop and evidence them?'

Consider a contracts example. In a content-based design, success may be defined as 'coverage of sale, lease, trust, and their associated procedures.' In a competency-based design, a

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[18] Neil W Hamilton and Louis D Bilionis, *Law Student Professional Development and Formation: Bridging Law School, Student, and Employer Goals* (Cambridge University Press 2022) ch 3.
[19] Tonya Kowalski, 'True North: Navigating for the Transfer of Learning in Legal Education' (2010) 34 Seattle University Law Review 51.
[20] Joyce VanTassel-Baska, 'Introduction to Content-Based Curriculum' in Joyce VanTassel-Baska and Catherine A Little (eds), *Content-Based Curriculum for High-Ability Learners* (3rd edn, Routledge 2017); Chunxiao Yue and Xiangyu Cui, 'An Analysis of the Content-Based Syllabus in Higher Education' [2023] SHS Web of Conferences 157 01017 <https://doi.org/10.1051/shsconf/202315701017> accessed 30 September 2025.
[21] J Gervais, 'The Operational Definition of Competency-Based Education' [2016] The Journal of Competency-Based Education <https://doi.org/10.1002/cbe2.1011>.
[22] ibid.

complementary learning outcome might read: 'Students will be able to negotiate, draft, and iteratively improve agreements that are legally sound, readable to non-experts, and fit for the parties' purposes, justifying design choices with doctrine.' The same doctrinal knowledge is required, but assessment now also attends to legibility, audience fit, and iteration—classic legal design criteria. The competence is visible and gradable only if the curriculum makes room for practice (draft → test → revise) and aligns rubrics accordingly.

Two implications follow for the problem at hand:

> **Competences are not acquired in a single dose.**[23] By definition, a transversal competence requires repeated exposure, practice in varied contexts, and escalating standards of performance. A one-semester course can seed it; it cannot on its own consolidate it.
>
> **Courses still matter—but as contributors to shared outcomes.** The unit of analysis becomes the curriculum (or at least the programme year), not the solitary syllabus. The design question is architectural: how do multiple touchpoints add up to a student's ability to do X at graduation?

Seen through that lens, the contradiction becomes clear. When we work as designers inside legal institutions, we refuse to treat a single touchpoint as a systemic fix.[24] We map the journey, identify friction across channels, iterate on artefacts and processes, and align measures with desired behaviours. But when we teach legal design as a stand-alone course inside a content-oriented programme, we perform the opposite move: we add a lone touchpoint and expect systemic change. The result is predictable. Students experience legal design as a memorable exception; faculty who try to integrate design-informed tasks elsewhere collide with misaligned assessments; institutions claim innovation without re-engineering the experience in which that innovation could take root.

To be clear, this is not an argument against introductory exposure. Door-opening courses have value as on-ramps: they build vocabulary, demystify methods, and motivate. The diagnosis is about sufficiency. Without downstream integration—doctrinal assignments that reward clarity and iteration; procedural courses that map and redesign user flows; clinics that co-create with communities—the on-ramp leads to a cul-de-sac.

Two further clarifications help delimit the problem:

> **Intro to design thinking vs closed-method legal design.** There is a defensible place for broad, introductory courses in design thinking that law students may encounter alongside business, engineering, or public policy peers. The concern here is different: the packaging of legal design as a neat, standardised method promising mastery within a semester, often

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[23] Daniela Silva and others, 'Evaluación Progresiva del Desarrollo de Competencias en Estudiantes de Educación Superior' (V Congreso en Docencia en Educación Superior CODES y I Congreso Latinoamericano y del Caribe de Innovación en Investigación en Educación Superior LatinsoTl, La Serena, 8–10 November 2023) <https://doi.org/10.15443/codes1979> accessed 30 September 2025; Hector Vargas and others, 'Standardizing Course Assessment in Competency-Based Higher Education: An Experience Report' (2025) 10 Frontiers in Education 1579124 <https://doi.org/10.3389/feduc.2025.1579124> accessed 30 September 2025; Jiaxin G, Huijuan Z and Md Hasan H, 'Global Competence in Higher Education: A Ten-Year Systematic Literature Review' (2024) 9 Frontiers in Education 1404782 <https://doi.org/10.3389/feduc.2024.1404782> accessed 30 September 2025; Robert Wagenaar, 'Competences and Learning Outcomes: A Panacea for Understanding the (New) Role of Higher Education?' (2014) 1 Tuning Journal for Higher Education 279.

[24] Donella H Meadows, *Thinking in Systems: A Primer* (Diana Wright ed, Earthscan 2009).

decoupled from the curricular sites where its criteria of value (clarity, accessibility, fit for use) should already matter.

Expertise and dilution. A frequent (and fair) counter-concern is that transversal integration risks superficiality when non-experts 'sprinkle' design into busy syllabi.[25] That risk is real. It is also a design problem with designable responses (teaching support, co-teaching, shared rubrics, communities of practice). I return to these later; here it suffices to note that the alternative—a single siloed course—solves for depth at one point while leaving the rest of the system unchanged.

If we take seriously the genealogy and aims of legal design, and if we adopt a competency-based lens that treats KSA as the unit of curricular value, then the dominant educational response —'add a course'— is at best a partial answer and at worst a category error. The rest of the article explores what follows from that diagnosis.

Analysis

From Content to Competence: Why KSA Matters in Legal Education

In the previous section, I distinguished —schematically but usefully— between content-based and competency-based approaches to curricular design. Here, I make the case for standing explicitly in the competency corner. Competencies integrate KSA into performances that can be observed and assessed; they ask not only what students know, but what they can do with what they know, and how they do it. This matters for law because legal work is an applied, high-consequence practice in which doctrinal accuracy, communicative clarity, ethical judgment, and contextual sensitivity must show up together.

A short story from my own formation brought this home. A mentor of mine —whose scholarship and practice sit squarely in legal pedagogy— used to contrast two graduating students. The first came through a content-heavy pathway: superb recall of rules and procedures; confident with elements of contract types and doctrinal taxonomies. Two risks shadowed that strength. Memory fades without meaningful practice to anchor it; and when doctrine or precedent shifts (as it does), knowledge learned as static content can become brittle. The second student's pathway was competency-oriented: less encyclopaedic coverage, but repeated practice in interviewing, framing legal problems, drafting and revising, communicating with non-experts, and reasoning ethically under uncertainty. When the law changed—or when unfamiliar fact patterns appeared—this student adapted faster, because the curriculum had rehearsed adaptation itself. The point was not to dismiss knowledge; it was to insist that knowledge endures when it is wired to skills and attitudes in action.

There is an admitted trade-off. Competency-based designs rarely achieve the breadth of content coverage that lecture-driven courses can. But they often achieve more durable learning: concepts are encoded through use; feedback and iteration stabilise recall;[26] attitudes (empathy,

[25] Diana Frost and Robert Ackrill, 'The Multiple Dimensions of Curriculum Mapping: Designing a Comprehensive Outcomes-Based Framework' (2025) 23(1) London Review of Education 17; John Andrew O'Rourke and others, 'Are We All on Course? A Curriculum Mapping Comparison of Three Australian University Open-Access Enabling Programs' (2019) 59(1) Australian Journal of Adult Learning 7; Christian Stamov Roßnagel, Katrin Lo Baido and Noleine Fitzallen, 'Revisiting the Relationship Between Constructive Alignment and Learning Approaches: A Perceived Alignment Perspective' (2021) 16(8) PLoS ONE <https://doi.org/10.1371/journal.pone.0253949> accessed 30 September 2025.

[26] C P Chishimba, 'Content-Based Teacher Education Approach versus Competence-Based Teacher Education Approach' (2001) 31 Prospects 229.

intellectual humility, collaborative habits) become part of professional identity. That is the corner from which the rest of this analysis proceeds.

Legal Design as a Transversal Competence (Not a Siloed Topic)

If we adopt a competency lens, legal design reads less like an isolated 'topic' and more like a composite competence. Its knowledge base includes the theoretical and methodological foundations of human-centred design; the socio-legal problems it targets (inaccessibility, opacity, power asymmetries); and the jurisprudential constraints that any redesign must respect. Its skills portfolio is practical and teachable:

- user research (interviews, observation, surveys);
- problem framing and reframing;
- systems thinking and stakeholder mapping;
- facilitation and co-creation across disciplines;
- rapid prototyping (from sketches to interactive mock-ups);
- testing and evaluation (heuristics, usability tests, A/B comparisons);
- plain-language drafting and visual communication;
- accessibility auditing (readability, multilingual and disability access);
- implementation planning and change management.

Its attitudes include empathy, reflexivity, openness to iteration, and an ethic of service. These are not ornamental. Methods only work when animated by these dispositions; dispositions are cultivated and made visible through the methods. Rather than choosing between 'mindset' and 'methods,' we should be precise: legal design consists of methods that reflect and require certain professional dispositions. Crucially, this competence is not alien to legal practice. It rhymes with what lawyers already do at their best:

Client interview ↔ Empathy work: A thorough client intake is, in substance, a structured empathy interview. The difference is explicitness: design names the technique and evaluates its quality.

Forum choice / deal strategy ↔ Stakeholder mapping: Selecting a jurisdiction or negotiating a transaction involves modelling how different actors will react; stakeholder maps make that modelling explicit and shareable.

Litigation strategy memos ↔ Iteration: Teams routinely workshop theories of the case, test arguments, and revise briefs; design treats that as prototyping cycles with articulated criteria for 'better.'

Drafting and redrafting ↔ Prototyping: A complaint or contract versioned through feedback is a prototype; readability and audience fit become explicit acceptance criteria, not afterthoughts.

Moots and oral prep ↔ Usability testing and storytelling: Dry runs with colleagues are usability tests for arguments; the craft of narrative before a court is structured storytelling tuned to user needs (judges, clerks, parties).

Procedure charts ↔ Service blueprints: Civil-procedure flowcharts are service blueprints of a justice system; design insists we annotate them with user pain points and backstage constraints, not just doctrinal gateways.

Seen this way, 'legal design as competence' does not compete with legal reasoning, writing, or ethics; it operationalises them. It adds a vocabulary and toolset that make quality visible and gradable—clarity, fit-for-audience, feasibility, fairness—alongside doctrinal correctness.

What a Single Course Cannot Do: Trivialisation, Method-as-Recipe, and Weak Alignment

If legal design is a competence, can it be 'delivered' by a stand-alone course? A candid answer requires naming the costs of treating it that way.

The Trivialisation Trap

When programmes package legal design into an elective (or a weekend workshop), students can infer that this is a bounded technique—a box to tick—rather than a way of working that should surface across contexts. The risk is a false sense of sufficiency: a semester's worth of tool use without the reflective practice needed to transfer it. Competence does not arrive in a single dose. It requires progression: exposure → guided application → independent performance with escalating standards.[27] Without that spine, 'we did journey maps once' becomes the ceiling.

Method as Recipe; Innovation as Certainty

Compressed courses are structurally tempted to present design as a linear, standardised sequence—empathise–define–ideate–prototype–test—with the implicit promise that following the steps yields innovation. That promise is pedagogically seductive and conceptually thin. Real design work in law is iterative, messy, and normatively charged: trade-offs among values (efficiency, due process, dignity); conflicts among stakeholders; institutional constraints. Treating the method as a fixed recipe encourages procedural dogmatism where we need situated judgment. An analogy I have used with students is deliberate: learning 'experiential teaching' through slides alone. The slides may be clear; the experience is missing. Likewise, a design course heavy on canvases and light on repeated cycles of making, testing, and revising under constraints risks teaching the vocabulary of design without the muscle memory.

Time Boxes that Shrink Experience

The problem intensifies as offerings move toward executive education and short workshops. Time scarcity pushes toward demonstration over practice, presentation over iteration. Participants may leave energised (a non-trivial outcome), but without the hours of feedback-rich making that consolidate skill and temper confidence with judgment.

Peripheral Placement and Weak Constructive Alignment

Even when a stand-alone course is well-run, it often sits at the periphery of the degree. Unless doctrinal and procedural courses reward design-informed performance—legibility, audience fit, iterative improvement—the elective becomes a vivid exception rather than a norm. This is a problem of constructive alignment:[28] if programme-level outcomes do not include, say, 'draft legally sound, readable documents fit to user needs,' other courses have little incentive to make

[27] Silva and others (n 23); Vargas and others (n 23); Jiaxin G, Huijuan Z and Md Hasan H (n 23); Wagenaar (n 23).
[28] J Biggs and C Tang, *Teaching for Quality Learning at University* (4th edn, Open University Press 2011).

space for testing and revision. A new touchpoint (the elective) in an old process (content-first assessment) disappoints by design.

The Contradiction with Design Logic

There is a deeper irony. When we redesign a court service, we refuse to treat a single artefact as a systemic fix;[29] we map the user journey, sequence touchpoints, align metrics with desired behaviours, and iterate across channels. Yet when we 'teach' legal design as an isolated class, we do the opposite: we add one touchpoint and expect systemic change. The move contradicts the very design posture we advocate in practice.

How, Then? From Aspiration to Architecture

If the argument so far is persuasive, it leaves a practical challenge: how might a law school move from an inspiring elective to a curriculum that develops legal design as a transversal competence? I began by calling this a 'dream with constraints.' The point of this section is to make those constraints visible and to design within them, proposing steps modest enough to be feasible and coherent enough to reduce the contradiction at the heart of the course-as-container model.

Start with an obvious concession: a well-run, stand-alone course has value. It is a door. It gives students a vocabulary, lets them try methods they have never seen, and often rekindles their sense that law can be made and remade (not only memorised). But doors are not houses. The curriculum is the house —the sequence of rooms a student traverses, the affordances and obstacles we build in, the norms we reward. What follows sketches how to build that house deliberately: first by changing what and how we assess; then by creating low-cost supports for non-expert colleagues; then by sequencing learning so that students move from exposure to autonomy; and finally by widening the set of spaces, inside and beyond the classroom, where design-inflected work can live.

Begin where leverage is highest: assessment. In competency-based education, constructive alignment[30] is the hinge that turns aspiration into practice. If we claim that clarity, audience fit, and iteration matter, our rubrics must say so and not only in a design elective. The simplest, lowest-cost intervention many law schools can make is to rewrite assessment criteria in existing doctrinal and procedural courses so that a portion of the grade explicitly attends to legibility (plain language, structure, visuals where appropriate), appropriateness to audience (client, judge, counterparty), and improvement over time (versioning with reasons). Doing so does not displace doctrinal accuracy;[31] it makes doctrinal accuracy operate alongside criteria that legal work already implicitly values. Concretely, a contracts memo can require two iterations with brief testing (peer or user), and the rubric can reward justified revisions; a civil procedure assignment can require a user-journey map of filing to service to hearing as an analytic preface to doctrinal analysis; a constitutional seminar can ask for a stakeholder map and implementation plan when students propose institutional reforms. Changing a rubric is not

[29] Meadows (n 24).
[30] Humaira Fayyaz Khan and others, 'Determining the Alignment of Assessment Items with Curriculum Goals through Document Analysis by Addressing Identified Item Flaws' (2025) 25 BMC Medical Education 200 <https://doi.org/10.1186/s12909-025-06736-4> accessed 30 September 2025.
[31] C K Y Chan, *Assessment for Experiential Learning* (1st edn, Routledge 2022) <https://doi.org/10.4324/9781003018391> accessed 30 September 2025.

glamorous, but it is the fastest way to change what students practise and what teachers attend to.

Support non-experts without diluting standards. A legitimate worry about transversal integration is superficiality: design 'sprinkled' into courses by colleagues for whom this is not home terrain. The response is not to retreat to silos but to scaffold teachers. Three supports tend to travel well across contexts. First, brief, situated faculty development—micro-workshops focused on doing, not on slides—where colleagues redesign a single assignment and co-create a rubric they will actually use. Second, a pipeline of teaching assistants or student fellows who have deeper training in design methods and can coach teams, run mini-labs, and help with usability testing; they seed capacity across the curriculum without asking every colleague to become a designer. Third, a shared repository of vetted tasks, rubrics, and short 'how-to' notes (e.g., 'running a 30-minute empathy interview,' 'a one-page service blueprint for court filings,' 'a plain-language checklist with a basic readability target') that colleagues can adopt and adapt. None of this requires new degrees or elaborate centres; it requires curation, a small budget, and leadership that treats teaching as collaborative craft.

Sequence learning: from exposure to guided application to autonomy. Competence does not appear in a single dose. It develops through repeated practice at increasing levels of complexity and independence. An introductory elective—or an embedded module in a first-year skills course—can serve as exposure: naming methods, trying them in a low-stakes setting, and building basic habits of critique. Second-year courses can layer guided application: using stakeholder maps, prototypes, or testing protocols inside doctrinal assignments where the doctrinal stakes are real. Clinical and capstone experiences can then demand autonomy: students frame problems with clients, design and test interventions, and justify trade-offs among values (efficiency, due process, dignity) using both doctrine and design criteria. Progression should be visible: programmes can ask students to maintain a longitudinal portfolio[32]—what some law schools call a 'design dossier'—where artefacts from multiple courses accumulate with reflections on iteration and transfer. Portfolios let examiners see performance over time and help students narrate their growth with evidence, not slogans.

Name a minimum viable toolkit—and keep it light. To reduce friction for colleagues and signal coherence to students, it helps to agree on a small set of shared tools that travel across courses. A minimal kit might include: a short empathy-interview protocol and consent script; a one-page stakeholder map; a service blueprint template that distinguishes front stage from back stage; a plain-language checklist with a target readability band; a 'fidelity ladder' for prototypes (from sketch to clickable mock-up) so expectations are calibrated; a one-page usability-testing guide (three tasks, five users, time-to-task and error rate); a basic accessibility audit (contrast, headings, alt-text, multilingual options as relevant); and a reflective prompt that asks students to justify design choices in light of doctrine and user evidence. The point is not to enforce uniformity but to create enough shared language that learning in one course transfers to the next.[33]

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[32] Ricky Lam, 'E-Portfolios for Self-Regulated and Co-Regulated Learning: A Review' (2022) 13 Frontiers in Psychology 1079385 <https://doi.org/10.3389/fpsyg.2022.1079385> accessed 30 September 2025; Peng Zhang and Gemma Tur, 'A Systematic Review of e-Portfolio Use During the Pandemic: Inspiration for Post-COVID-19 Practices' (2024) 16(3) Open Praxis 429 <https://doi.org/10.55982/openpraxis.16.3.656> accessed 30 September 2025.

[33] Paul Harvey and John Bond, 'The Effects and Implications of Using Open Educational Resources in Secondary Schools' (2022) 23(2) International Review of Research in Open and Distributed Learning 108; Kelly Arispe, Amber Hoye and Katie Palmer, 'The Impact of Open Educational Resource Professional Development for Teachers in Secondary Education' (2023) 15(4) Open Praxis 303.

Look for quick wins inside existing courses. Not every colleague will redesign a syllabus in a semester; not every institution has the resources to hire coaches or build labs. Many of the gains of integration, however, come from small shifts in familiar tasks. In a contracts class, one clause-drafting exercise per unit can require a plain-language version alongside the technically precise one, with a two-paragraph justification of trade-offs. In civil procedure, a discussion of joinder can begin with students mapping where ordinary litigants get stuck in the process and why—using a diagram that then organises the doctrinal lecture that follows. In legal writing, a required 'reader trial' (a five-minute usability test with a non-law student) can be added before final submission. In constitutional theory, students can be asked to accompany a doctrinal essay with a two-page 'public explainer'—a communicative artefact whose clarity is graded. These are small changes with outsized signalling effects: they tell students that design-inflected criteria are not extracurricular; they are part of doing law well.

Create spaces for interdisciplinary co-making. One of the richest affordances of design is the disciplined encounter with other kinds of expertise. Law schools that wish to deepen this affordance can do so without abandoning their own priorities. Cross-listed electives open to students from design, engineering, public health, or social work can be structured around problems where the law is necessary but not sufficient (benefits access, consumer credit, administrative complaints).[34] Teams solve problems together and learn each other's languages in the only way that works: by making things. Where timetables or credit rules make cross-listing difficult, short co-taught studios—two weekends, three evenings—can serve the same purpose. The key is to protect the integrity of legal analysis while insisting that legal analysis alone rarely produces a usable solution.

Use extracurriculars as multipliers, not substitutes. Competitions, labs, and student-led projects can extend learning, but they should not carry the burden of integration. A legal-design challenge, a community-facing clinic, or a policy lab that collaborates with a court can offer high-intensity experiences and generate artefacts that feed back into the repository of tasks and rubrics. A small micro-grant scheme for course redesign (one assignment, one rubric) can incentivise colleagues to try something new and share it. A fellows programme can train a dozen students each year as peer coaches who then support multiple courses. These are modest investments with system effects: they make the work visible, shareable, and cumulative.

Mind the distinction between design and technology—and build bridges. Many programmes have grown their law-and-technology offerings; fewer have clarified how those relate to design. The cleanest arrangement is complementary: technology courses teach means (coding, automation, data literacy); design-infused tasks define problems worth solving and criteria of value (usefulness, equity, accessibility). When they meet, the sequence should run from design to build: make the problem legible in human terms first, then select or construct the technological means that fit.

Monitor as designers would. Treat the curriculum itself as a design object: define outcomes, build in feedback loops, and revise. At programme level, track whether students are producing clearer, more usable artefacts (readability scores; time-to-comprehension on user tests); whether iteration is happening (number and quality of versions); whether design-inflected criteria appear in rubrics across core courses; whether students can transfer methods across contexts (evidence in portfolios). Run small A/B pilots—one section with redesigned rubrics, one without—and compare. Host an annual retrospective where teachers and students review

[34] Laboratorio de Diseño para la Justicia, *Universidad de los Andes* <https://labjusticia.uniandes.edu.co/> accessed 30 September 2025.

work, surface friction points, and set three priorities for the next cycle. This is slow, ordinary improvement, which is the only kind that lasts.

Plan for costs—and design a phased route. None of this is free. Time is the scarcest resource; staff development and fellowships cost money. But a phased approach allows law schools to start where costs are lowest and gains are real. Phase one can be rubric reform and the creation of a minimal toolkit and repository. Phase two can be micro-workshops and the launch of a small fellows programme. Phase three can be co-teaching arrangements and cross-listed studios. If a law school chooses to keep (or create) a strong elective or lab, it can function as a hub that seeds work across spokes, projects that begin in the hub and continue, with different emphases, in contracts, procedure, clinics, and writing. The hub does not replace transversal integration; it energises and supplies it.

If we want graduates who can adapt when the law changes, who can communicate with clarity and respect, and who can design interventions that serve human needs without sacrificing legality, we cannot rely on a single, albeit excellent, elective to do the work. We need an architecture that aligns outcomes, tasks, and assessments across the journey; lightweight supports that help colleagues teach differently without pretending to be different people; and a culture that treats the curriculum as something we design together. That is the 'how then': not a blueprint for all contexts, but a set of design moves—small, cumulative, evidence-seeking—that make the aspiration plausible.

Conclusion

This article began with a simple contradiction at the heart of how we teach legal design. We have heralded a discipline that insists on mapping the entire user journey, yet we have taught it by adding a single, often isolated, touchpoint to the student's path. We have celebrated a mindset of iteration and systems thinking, yet we have packaged it in a self-contained course that leaves the surrounding curricular system untouched. The argument advanced here is that this approach, while understandable, mistakes the map for the terrain and the on-ramp for the destination. It is a new form in an old process, an inspiring stop on a journey that too often leads back to where it began.

The alternative I have sketched is not to abolish the door but to build the house: to treat legal design as a transversal competence—a fusion of knowledge, skills, and attitudes—woven into the fabric of doctrinal, procedural, and clinical learning. This architectural vision moves us from asking 'Where can we fit a design course?' to 'How can our curriculum, as a whole, form lawyers who are empirically grounded, contextually aware, and capable of making the law usable and just?' The answer, I have suggested, lies not in a single grand gesture but in a series of deliberate, cumulative, and often modest design moves: in rubrics that reward clarity alongside correctness; in supports that empower colleagues to experiment; and in a sequenced path that takes students from exposure to autonomy.

This is, as I conceded from the outset, a dream with constraints. It demands more of us than adding another module to the catalogue. It asks for our time, our collaborative effort, and our willingness to treat our own syllabi and programmes as prototypes in need of testing and revision. The prize, however, is commensurate with the effort. It is the formation of lawyers who see doctrine not as an inert body of content to be recalled, but as a living material to be shaped into instruments of service. It is the chance to deliver, at last, on the promise that first drew so many of us to this work: the rehumanisation of law, not as a weekend workshop, but as the steady, disciplined craft of a professional lifetime.

When students encounter a way of working that is more collaborative, more iterative, and more responsive to human needs, the experience should not feel like a vivid exception to their legal education. It should feel like its most coherent expression—the very practice of law itself. Our task, as educators and designers of learning, is to build the curriculum that makes that coherence possible.

Conflict of interest statement and any funding acknowledgement

The author declared no potential conflicts of interest with respect to the research, authorship and/or publication of this article. No external funding was received for this project.