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Case study

From theory to practice - designing engaging judicial training

Background:

A group of judges, newly appointed to the District Court, have been presiding over a series of small claims hearings. In several recent cases involving self-represented litigants judges have struggled to maintain procedural fairness.

For example, during one of the most recent hearings:

- The solicitor dominated the proceedings with legal jargon.
- The self-represented party was visibly confused and intimidated.
- The judge did not intervene to clarify procedures or ensure equal opportunity to present evidence.
- The judgment was legally sound but lacked transparency in reasoning and explanation.

Following this latest hearing, a senior judge raised concerns about perceived imbalance, lack of accessibility, and insufficient judicial communication.

Your training body has been tasked with providing a training module on procedural fairness, judicial communication, and managing self-represented parties.

Part 1: task (40 mins):

In pairs or small groups, design a half day training module for newly appointed judges that covers the topics identified above.

1. Draft between three to five learning objectives – at the end of the training, what will your participants have a better awareness or understanding of?¹

¹ For writing learning objectives, use the format: 'By the end of the training, participants will be able to...' followed by a measurable action.

2. Decide what blend of delivery methods you will use and why (in-person, remote online, blended online etc.)
3. Use the Learning Types framework to design some draft learning activities which keep the learners actively engaged.
4. Make sure your learning activities are aligned with the learning objectives you have set.
5. Other things to think about – breaks, use of technology, resources etc.
6. How will you evaluate your training?

Be prepared to present back to the whole group.

Part 2: Reflective questions/ group discussion (20 mins)

1. How easy/ difficult did you find that task? Why?
2. What was the most challenging aspect?
3. What learning type/s did your group use most and why?
4. How did adult learning theories and principles influence your design?
5. Did you have enough information to be able to carry out the task?
6. What was it like working with other people?
7. How did you feel about having to present back to a group?
8. What, if anything, would you change, remove or add to this task to improve the learning experience?
9. What is the benefit of reflecting on a learning activity in this way

Examples:

- Identify key principles of procedural fairness.
- Apply communication strategies to support self-represented litigants.

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