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TABLE OF CONTENTS

PEDAGOGY - ABSTRACTS AND FULL PAPER	1
CLINICAL LEGAL EDUCATION PROGRAM UNDER RULE 138-A OR THE REVISED STUDENT PRACTICE RULE: PROJECT FREEDOM AND DECONGESTION	2
PRO BONO AND HUMAN RIGHTS PRACTICE: CROSSING THE BRIDGE THAT CLE CREATES	3
USING ARTIFICIAL INTELLIGENCE (VR COURTROOM) AS PEDAGOGICAL TOOL TO ENHANCE CLINICAL LEGAL EDUCATION AND ADVANCE ACCESS TO JUSTICE	13



PEDAGOGY ABSTRACTS AND FULL PAPER

Clinical Legal Education Program under Rule 138-A or the Revised Student Practice Rule: Project Freedom and Decongestion

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Abstract

"Project Freedom and Decongestion" explores the concern of jail congestion in the Philippines, which has risen to an alarming level of overcrowding, and negatively impacts how the justice system services Persons Deprived of Liberty (PDLs). It also considers unreasonable incarceration vis-à-vis available legal remedies for both permanent and provisional liberty. As a Clinical Legal Education Program (CLEP) under the Revised Student Practice Rule or Rule 138-A of the Revised Rules of Court, it was initiated by the law student practitioners of the College of Law of the Notre Dame of Marbel University, providing indigent PDLs assisting them to access judicial remedies like Bail, Recognizance, and Habeas Corpus for either provisional or permanent release from detention. As a result, the report suggests several steps for the stakeholders, including creating training programs on legal rights, computerization of data management systems in detention facilities, and appropriate mechanisms to effectively avail Bail and other release proceedings. Ultimately, the goal of the project was to enhance the treatment of prisoners, particularly in detention centers of South Cotabato, as well as to safeguard their rights to possible release and community rehabilitation.

Given the peculiar nature of the university's CLEP, the activity was conducted in the Summer of SY 2022-2023 and SY 2023-2024, or for a period of about three (3) months starting for each term. It utilized two groups of law students: JD 2 and JD 3 students for the CLEP Levels 1 and 2 certification activities, respectively. The target detention areas were the South Cotabato Rehabilitation and Detention Center and the Bureau of Jail Management and Penology [BJMP] jail in Koronadal City, South Cotabato. These cover appropriate cases filed before or pending with either the Regional Trial Courts in Koronadal City or in Tampakan, South Cotabato. By proper screening and in collaboration with partner agencies, particularly the Public Attorney's Office, three (3) beneficiary-PDLs were released to their respective families.

[\[Full Text\]](#)

PRO BONO AND HUMAN RIGHTS PRACTICE: CROSSING THE BRIDGE THAT CLE CREATES

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Abstract

The study and teaching of law cannot be done in a vacuum. An uncritical and uncontextual teaching and study of law, devoid of a consideration of the local situation prevailing in the area that law operates in, is unhelpful as it produces lawyers who are merely legal technicians but not committed advocates. Clinical Legal Education, with its combined focus on doctrine and experience, is a valuable tool in teaching and learning law. It creates a bridge between the traditional idea of lawyering (learn and apply the law as written) and the non-traditional idea of lawyering (learn but also question the law as written). It develops in the earliest instance, i.e., in law school, critical thinking, social consciousness, and identify formation that leads to relevant practice readiness in law students. CLE opens up areas of practice that would be considered non-traditional, i.e., pro bono practice and advocacies for human rights. The presentation focuses on how CLE programs can create that bridge.

I. Introduction

Clinical Legal Education (CLE) is an educational framework that connects law students with real-world legal problems through supervised practice. It is often described as “learning by doing” and is also characterized by experiential learning. In the context of legal education, which is characterized by doctrine and theory, it is a radical reorientation and, to many, a rude awakening to the limits of the traditional, i.e., Socratic, method of teaching law¹ based on the so-called Langdellian² case method.

¹ The typical scenario, made famous by the film “The Paper Chase” (1978), is that of a question and answer with the professor grilling the student with a series of questions, with the student’s answer leading to another question. As summarized by the fictional Professor Kingsfield in that film,

“The study of law is something new and unfamiliar to most of you, unlike any schooling you’ve ever been through before. We use the Socratic method here. I call on you, ask you a question and you answer it. Why don’t I just give you a lecture? Because, through my questions, you’ll learn to teach yourselves. Through this method of questioning, answering, questioning, answering, we seek to develop in you the ability to analyze that vast complex of facts that constitute the relationship of members within a given society. Questioning and answering, at times you may feel that you have found the correct answer. I assure you that it is a total delusion on your part. You will never find the correct, absolute and final answer. In my classroom, there is always another question, another question to follow your answer, as if you’re on a treadmill. My little questions spin the tumblers of your mind. They’re on an operating table, my little questions are the fingers probing on your brain. We do brain surgery here. You teach yourselves the law, but I train your mind. You come in here with a skull full of mush, you leave thinking like a lawyer.”

² Attributed to Christopher Columbus Langdell, Dean of Harvard Law School (1870-1895).

CLE grew out of criticisms of traditional legal education³ which, in many ways, was a “training for trade” with a private-practice orientation, rather than a noble calling with a focus on service and helping. This orientation avoided the incorporation of context in legal education and focused on the teaching of law as a detached, abstract yet omnipresent and omnipotent force that pervaded every aspect of life.

In regimes where law or legal structures would often be co-opted, the notion of learning law or practicing law within the legal structures that supported injustice was repugnant to those whose view of the law was a noble profession committed to serving and helping.⁴ The idea of a detached law professor imparting wisdom from a gilded cage or ivory tower, when confronted with historical realities of each generation, forced many law practitioners to confront how law would be—or remain—relevant and responsive to the changing realities around them.

The understanding that legal education shapes and forms legal thought, and consequently, legal practice moved many of those in the academe to explore different ways of teaching law. The idea of learning by experience,⁵ patterned after the framework of a medical student doing internship where theoretical instruction is shaped by practical experience, started to take root among many law schools.

The legal academe started to change with many of the traditional legal scholars—full time academics doing research in a sterile environment often peering through their glasses at the legal terra firma—being augmented by “practitioners”—those who were practicing law full time—as adjuncts. CLE grew out of the many “war stories” of these adjuncts. They provided the flesh to the rules, the praxis to the theory, and, where allowed, gave students a first-hand experience at getting their hands dirty. In this way, the law became real and provided more opportunities for reflection not just among the lawyers but also among students.

³ “Clinical programs were the outgrowth of several forces in the sixties. The war in Vietnam, racial explosions in the ghettos, and the growing visibility of unjustified economic, social, and sexual inequality caused a stirring from which law schools were not exempt. Law students began questioning the relevance of their courses that aimed primarily toward the service of the existing social and economic order and ignored the most pressing problems of the day. Many students wanted legal careers more directly linked to their values and idealism.” See Steven D. Pepe, Clinical Legal Education: Is Taking Rites Seriously a Fantasy, Folly, or Failure?, 18 U. MICH. J. L. REFORM 307 (1985); https://repository.law.umich.edu/mjlr/vol18/iss2/10?utm_source=repository.law.umich.edu%2Fmjlr%2Fvol18%2Fiss2%2F10&utm_medium=PDF&utm_campaign=PDFCoverPages, last accessed at April 12, 2025.

⁴ See generally, Te, T. O. Legal Education in the Philippines: Confronting the Issues of Relevance and Responsiveness, 63 PHIL. L.J. 198 (1988).

⁵ David Kolb, *Experiential Learning: Experience as the Source of Learning and Development*. Prentice Hall (1984). He writes about four stages of experiential learning: 1) Concrete Experience, involves engaging directly with a new experience or interpreting a past experience in a new light. This focuses on feeling and experiencing something firsthand; 2) Reflective Observation, involving a personal observation of the experience and connecting their feelings with ideas about the experience; this stage focuses on watching and understanding what happened; 3) Abstract Conceptualization, involving the development of new ideas or adjusting one’s thinking based on the experience and reflection; and 4) Active Experimentation, involving the application of new ideas or understanding to real-world situations to test their validity and create new experiences; this focuses on doing and acting on new knowledge or insight.

The idea of law practice as a “public good” or *pro bono*, not simply as “training for trade”. is assisted greatly by CLE, with its focus on: a) professionalism and ethics, b) practice supplemented by theory, and c) reform and change guided by experience.

II. CLE in the Philippines, the Journey, and Current Reality

In the Philippines, clinical legal education is governed by Rule 138-A⁶ which defines, for the first time, what clinical legal education is⁷ and what it covers. It also opens a window for law schools, that have been traditionally oriented towards educating for the bar examinations, to explore other disciplines that have traditionally been excluded from law teaching such as human rights and public interest work through externships.⁸ The Rule also institutionalized a model of pro-bono services, integrating values that are deeply connected to human rights advocacy. In doing so, Rule 138-A seeks to not only create “practice-ready lawyers”⁹—by creating a certification system for students to engage in supervised legal practice, promoting early professional responsibility--but also lawyers who are conscientized and grounded in both legal theory and experience with an orientation towards helping those who are marginalized--by recognizing partnerships with advocacy groups. This builds a *pro bono* ethos, encouraging students to view legal aid not as charity, but as justice. And by mandating it, the Supreme Court makes law schools training grounds for lifelong service. Students engage in legal empowerment, fact-finding, and strategic litigation, cultivating empathy, technical skill, and commitment to the marginalized, all of which are hallmarks of effective *pro bono* service and human rights lawyering.

The journey towards an institutional CLE in the Philippines can be traced to two visionary lawyers—the first, Jose W. Diokno, a former Senator, Cabinet Secretary, trial lawyer, and political detainee, and the second, Alfredo F. Tadiar, a retired municipal court judge turned legal academic. Both of them foresaw something more than what was before them and pushed the existing boundaries of law, legal education, and law practice.

Tadiar saw the law students’ complete isolation from the problems and realities confronting a larger portion of society as the main problem¹⁰ and proposed as a solution the use of a

⁶ A.M. No. 19-03-24-SC, June 25, 2019 (“Rule 138-A”);

⁷ Rule 138-A, section 2(a); “Clinical Legal Education Program is an experiential, interactive and reflective credit-earning teaching course with the objectives of providing law students with practical knowledge, skills and values necessary for the application of the law, delivery of legal services and promotion of social justice and public interest, especially to the marginalized, while inculcating in the students the values of ethical lawyering and public service. It consists of learning activities covered by this Rule undertaken in either a 1) law clinic or an 2) externship, which shall incorporate the teaching of legal theory and doctrines, practical skills, as well as legal ethics.

⁸ Rule 138-A, section 2(b); “ Externship is part of the clinical legal educational program if: (a) it allows students to engage in legal work for the marginalized sectors or for the promotion of social justice and public interest, and (b) it is undertaken with any of the following: (i) the courts, the Integrated Bar of the Philippines (IBP), government offices; and (ii) law school-recognized non-governmental organizations (NGOs).

⁹ Rule 138-A, Fourth Whereas Clause;

¹⁰ Merlin M. Magallona in his *Comments on Legal Education in the Third World*, 53 PHIL. L. J. 62 (1978), for instance, identified the features of legal education in the Philippines as the following:

clinical approach to teaching by operating what is effectively a teaching law office—allowing students to experience first-hand the variety of roles that they would be called upon to perform when they become lawyers.¹¹ Pursuing this vision, Tadiar opened and operated within the University of the Philippines the Office of Legal Aid (OLA)¹² catering to indigent clients and mandating all the fourth-year students of the College of Law to serve as interns within the OLA. Later, he would push for the adoption of the first student practice rule, Rule 138-A, first passed by the Supreme Court in 1980. Tadiar notes that the benefits accruing from the program include a "heightening of awareness and interest, greater motivation to learn and increased retention of knowledge."¹³

Diokno, on the other hand, advanced a new view of law, legal education, and the role of lawyers through what he called "developmental legal aid"¹⁴, a vision of law serving structural change.¹⁵ From the lens of a trial lawyer but also a political detainee¹⁶, Diokno saw the need to shift from what he called a traditional form of legal aid—which he compared to a lawyer giving alms to the poor—to a more developmental form of legal assistance—focusing on rights rather than law. As he puts it:

Efforts to practice this new type of legal aid, which for want of a better name I shall call developmental legal aid, have begun in ASEAN countries. Lawyers who have been imprisoned or had practiced traditional legal aid became convinced that, under conditions obtaining in their country, something more was needed. If the rights of the poor and the oppressed were to be vindicated, and just and humane development achieve, the job of developmental legal

1. These schools are patterned after a foreign model and this has limited the outlook, content, methods, research and continuing development of the institution;
2. They are dominated by a private-practice oriented approach, one which emphasizes the study of law in relation to private commercial activity and the private affairs of more affluent persons rather than the problems of the public sector or problems of the mass of people;
3. They are controlled by the elite of the legal profession whose economic base is tied up to such private commercial interests;
4. The trend is for those schools to recruit students from the upper classes of society and orient them towards 'urban, elite , white-collar positions.';
5. The values of law schools are nurtured in an elitist environment, which 'stand in contrast to the environment of poverty and education provided elsewhere in the country.';
6. 6. Law is studied as an 'independent self-contained, established discipline and tend(s) to ignore the study of socio-legal contexts, policy assumptions and actual effects of legal rules.' The content of the law courses fails to recognize the training of lawyers for participation in the processes of development and does not reflect the need for the legal system to be a vehicle for social change.

¹¹ A.F. Tadiar, *Clinical Legal Education in a Professional Law School .--- The UP Experience*, 1980 CLINICAL APPROACH TO LEGAL EDUCATION 12.

¹² The UP Office of Legal Aid celebrated its 50th year in 2024, the first and oldest law clinic in the country.

¹³ *Id.*

¹⁴ J.W. Diokno, *Developmental Legal Aid in Rural ASEAN: Problems and Prospects in A Nation for Our Children* (19___).

¹⁵ J.W. Diokno, *Legal Aid and Development in JUSTICE UNDER SIEGE: FIVE TALKS*

¹⁶ Diokno, then a Senator, was one of those arrested and detained without judicial warrant or charges by the martial law regime of Ferdinand E. Marcos Sr. in 1972; he was released in 1974, never having been formally charged in a civilian court.

aid had to be done. But no one else would do it. So in a sense the practice of developmental legal aid was “forced” on them.¹⁷

Diokno differentiated between a traditional and developmental model of legal aid and proposes that, because traditional models of legal aid are of limited value to development, a developmental view of legal aid must evolve:

But is legal aid relevant to human rights and to development? No one doubts that legal aid is relevant to legal rights. But not all human rights are legal rights. Some are, in fact, denied by law, xxx. Since legal aid must operate within the law, how can it enforce human rights that are denied by the law itself? Does it make sense to talk about gaining justice for the poor if the justice that is gained is not worth having?

xxx

This is particularly true of legal aid of the traditional type: the rendering of free legal services to the poor in their private disputes like child support, tenancy sharing, usury, defending common crimes, and the like. These services are not, of course, to be scoffed at. For the abandoned mother, the tenant cheated of his share of the crop, the man, woman or child wrongly charged with crime, legal aid can spell the difference between life and death, freedom and slavery. But where the law itself violates human rights traditional legal aid can do little.

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Moreover, traditional legal aid is actor not structure oriented. It assumes that the law is just and that injustice results from human greed and weakness that violate the law. This assumption does not imply that legal aid lawyers are blind to violations of human rights caused by unjust social structures: better than most citizens, they know that the law itself is often unjust; but as legal aid lawyers, they see their function simply as upholding the law, not changing the law or society, a task they view as properly the function of the legislator. Since development is social change, often radical and rapid, traditional legal aid is of limited value to development.¹⁸

He then submits that “development requires a different type of legal aid, one that will not supplant traditional legal aid but supplement it, concentrating on public rather than private

¹⁷ *Id.* Note 14.

¹⁸ J.W. Diokno, Developmental Legal Aid in Rural ASEAN: Problems and Prospects in A Nation for our Children (19__).

issues, intent on changing instead of merely upholding existing law and social structures, particularly the distribution of power within society.”¹⁹

Diokno’s views were largely influenced by the prevailing context of martial law, which was in force in the Philippines from 1972 to 1986, which allowed for the forcible passage of a “new” Constitution, the issuance of decrees with the force and effect of law by the then-president, and the co-optation of the judicial branch; they were also reinforced by his own experience as a political detainee whose experience of injustice through law was both personal and real.

Though coming from very different perspectives, both Tadiar and Diokno saw, as a limitation and a weakness, the detachment of legal education from context. Their views of law, legal education, and legal practice helped fuel the movement for reform in legal education in the Philippines and the push towards the recognition and integration of CLE as a viable, co-equal mode of teaching law which Rule 138-A now allows.

III. The Bridge that Isn’t Crossed, Completely

From the first student practice rule that was passed in the 80s, largely due to the efforts of Tadiar and his experiences as director of the University of the Philippines Office of Legal Aid (OLA), to the current incarnation of the student practice rule, passed in 2019, the bridge that CLE creates towards a robust *pro bono* and human rights practice is clearly seen.

With the Supreme Court mandating CLE²⁰ as a requirement to take the bar examinations, all law schools in the Philippines have now instituted, in one form or another, one or more law clinics. Some have partnered with courts, government offices, or NGOs for externships while others have established in-house clinics. This allows an appreciation of *pro bono* practice for students because they are required to render services for actual clients without fees. Many students who experience CLE through free legal aid clinics come to appreciate the value of being able to empathize with their clients and to go the “extra mile” for them. The CLE experience allows students at an early stage, i.e., while in law school, to experience the “service” side of law practice which is a good in itself. It also allows students, while still in law school, to develop identity and determine for themselves viable options for legal practice after they pass the bar.

But in situations where it is the law and the legal system itself that is the source of injustice or discrimination, learning to practice the law by applying the law and operating entirely within the bounds of the legal system would lead to a rude wakeup call—that all efforts to help may not be helping. For this, a shift from a law-based to a rights-based approach would be needed, much similar to the shift that Diokno proposes—from a traditional form to a developmental form of legal aid.

¹⁹ *Id.*

²⁰ Rule 138-A, Fourth Whereas Clause;

Some universities in the Philippines like the University of the Philippines,²¹ the Ateneo de Manila University,²² Xavier University,²³ Ateneo de Naga²⁴, among many others, have chosen to operate clinics that focus on human rights and related advocacies.

For these clinics, context is crucial. The understanding that law does not—and should not—operate in a vacuum is perhaps the most significant learning that is imparted by and through this model of legal education. The focus is not only rendering services without fees but also on the need to understand the substantive context in which law and the legal system operates and encourage the idea of reforming the law and legal system.

It is understandable that not all law schools are able to operate human rights focused clinics. Operating a law clinic requires funding not just to run the clinic but to hire faculty, supervising lawyers, and staff. It requires institutional commitment and prioritization that many law schools may not be prepared to provide. For a CLE program to be focused on providing not simply *pro bono* services, i.e., services without fees, but also human rights-centered services, the CLE would need to be considered a priority not just an option. Due to the unequal resources that law schools face, the priority that CLE needs, and a human rights-centered CLE requires, will not be easy for many law schools as the main focus for law schools would still be to provide their graduates with the best “training for trade.”

IV. Crossing the Bridge that CLE Creates

CLE transforms legal education from abstract theory into engaged practice. It bridges the gap between school and service, theory and practice--preparing lawyers to be competent, ethical, and just and at the same time, grounded in the realities and the contexts that they need to operate under.

CLE and Pro-Bono Practice:

CLE is deeply interconnected with *pro bono* practice. It serves as the primary formative space where law students are first introduced to the values, skills, and responsibilities of public service—especially *pro bono* work. This connection has pedagogical, ethical, and institutional aspects:

a) CLE cultivates the *pro bono* ethos early. CLE immerses students in **legal aid and public interest cases**, typically involving indigent clients, marginalized communities, and legal issues of significant social impact, e.g., housing, labor, violence, migration. By serving real clients without compensation, students internalize the ethic of service that underpins *pro*

²¹ The University of the Philippines started operating a Civil and Political Rights Clinic (CPRC) and an environmental justice clinic in 2018, one year before the Revised Student Practice Rule was passed.

²² <https://ahrc.org.ph/>

²³ <https://www.xu.edu.ph/xavier-university-center-for-legal-assistance>

²⁴ <https://www.adnu.edu.ph/lawschool/ignatian-legal-apostolate-office/>

bono work. Early exposure to *pro bono* work creates a higher possibility of continued engagement in a future legal career.

b) CLE institutionalizes pro bono within legal education. CLE programs embed *pro bono* work into the law school curriculum—transforming it from an extracurricular activity into a graduation requirement in some jurisdictions. As mentioned above, Rule 138-A makes CLE compliance a mandatory requirement to take the bar, thus making it a mandatory requirement for graduation. This ensures that all students, regardless of their intended career path, are exposed to *pro bono* practice.

c) CLE provides infrastructure and supervision for pro bono work. Unlike informal volunteerism, CLE ensures that there is supervised engagement thus ensuring quality, accountability, and professionalism. It also provides for structured reflection on ethical and social dimensions of legal practice. Finally, it often relies on institutional support from clinics, NGOs, and public interest partners thus ensuring that it is both the training ground and institutional model for a sustainable *pro bono* practice.

d) CLE bridges academic learning with service. CLE provides contextual classroom instruction by putting theory (e.g., constitutional law, civil procedure) within the frame of context. It thus demystifies *pro bono* work as elite charity and reinforces the idea that law is a public profession and not simply a private commodity or resource.

e) CLE nurtures a pipeline of public interest lawyers. The best learning is from experience and many lawyers cite their CLE experiences as formative in shaping their commitment to *pro bono* work in their private practice, or in chartering their careers in legal aid institutions or NGOs or in their volunteer roles in bar associations and legal clinics. CLE becomes the root that sustains the tree of *pro bono* commitment.

f) CLE programs are the incubators of pro bono lawyers. They expose law students to the realities of injustice, the transformative power of legal service, and the moral imperative to use legal skills for the public good. By aligning experiential learning with legal aid service, CLE ensures that *pro bono* is not an afterthought in legal careers—it becomes the starting point.

CLE and Human Rights Lawyering:

The relationship between CLE and human rights practice is both foundational and functional. It serves as a vital bridge connecting legal education to the real-world application of human rights principles.

1) CLE is a practical training ground for human rights lawyering. CLE offers law students **experiential learning** by involving them in real cases, many of which deal with **rights-based issues** such as arbitrary detention, land and housing rights, gender-based violence, labor exploitation, and indigenous peoples' rights, among many others. Engagement with CLE

programs allows students to acquire key human rights lawyering skills, such as: a) Fact-finding and documentation of violations; b) Legal research and drafting of pleadings grounded in rights frameworks; c) Interviewing and counseling vulnerable populations; and d) Engaging in strategic litigation or advocacy with NGOs

In the University of the Philippines Civil and Political Rights Clinic and the Ateneo Human Rights Center, for example, students assist in paralegal trainings and advocacy around urban displacement, domestic violence, and police abuse—core human rights concerns.

2) CLE internalizes the values of human dignity, justice, and empowerment. CLE fosters ethical formation that aligns with the core values of human rights such as respect for dignity and equality, non-discrimination, and empowerment of marginalized groups. By interacting with vulnerable communities, students cultivate a commitment to justice beyond technical legal skills.

3) CLE operationalizes the right to access to justice. Human rights frameworks, such as the International Covenant on Civil and Political Rights (ICCPR) and various constitutional guarantees, affirm the right to legal remedies and access to courts.

CLE contributes to realizing these rights by providing free legal aid to indigent clients, helping address the shortage of public defenders or legal aid lawyers, and institutionalizing community legal empowerment. Rule 138-A explicitly ties CLE to access to justice, recognizing students as part of the legal aid delivery mechanism.

4) CLE builds a pipeline of future human rights advocates. CLE is not only about short-term service; it shapes long-term career trajectories. Many students who undergo robust CLE programs go on to join or found human rights NGOs, serve as public interest litigators, or work in transitional justice or international human rights bodies. In South Africa, for example, CLE was instrumental in developing anti-apartheid lawyers who later played roles in truth commissions and constitutional reform.

5) CLE Encourages critical reflection on law and power. Through supervised practice and reflection, CLE programs encourage students to ask some critical questions that go beyond what is in the law. For instance, a) how does the law perpetuate or challenge injustice?, b) how can I use my legal training to protect the marginalized? c) what ethical responsibilities do I have to the community?

V. Conclusion

CLE is not merely a training mechanism—it is the pedagogical intersection of two cultures: a) pro bono, rooted in the ethical duty to serve and help, and b) human rights lawyering, rooted in the legal and moral imperative to uphold dignity and provide justice. Through CLE, students are **not only taught law—they practice justice.**

CLE programs produce graduates who see the law as a public calling not just a private career; are grounded in the context of community realities, not detached abstractions; and understand that service to the poor and unrepresented and defense of the oppressed and abused are not optional but are essential to the legal profession.

What CLE programs need in order to fully bridge these two fields—*pro bono* and human rights practice—is to fully evolve itself into a field of legal pedagogy (or andragogy) and not consider itself as the estranged cousin of doctrinal legal teaching. In many parts of the United States, clinicians have developed a robust track for clinical teaching with full recognition of CLE as a field of legal education in itself; in Asia, CLE is growing and may need a further boost in order for clinicians to achieve the same level of recognition that clinicians in the United States have. This recognition is essential to creating CLE as a legitimate discipline in itself. By strengthening CLE, *pro bono* and human rights practice are also, in turn, strengthened. And that is, in itself, a good thing.

Using Artificial Intelligence (VR Courtroom) as Pedagogical Tool to Enhance Clinical Legal Education and Advance Access to Justice

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Abstract

This paper explores how the integration of Artificial Intelligence and interdisciplinary approaches can enhance Clinical Legal Education(CLE) and produce a cohort of work-ready graduates. It highlights the importance of addressing the shortcomings of the graduate cohort through immersive and innovative learning techniques using gamification. The strategic use of technology in CLE fosters a cohort of diverse, adaptable, and socially responsible legal professionals.

The University of Johannesburg's Faculty of Law and the Johannesburg Business School's (JBS) Innovation Lab have pioneered the development of the Virtual Reality Courtroom Game (VR Courtroom Game). As the first of its kind in Africa, the VR Courtroom Game sets a new benchmark for integrating technology into clinical legal education. The potential of immersive learning and gamification as a pedagogical tool in bridging the gap between theory and practice serves as a model that can be adapted by legal institutions globally, paving the way for innovative and immersive techniques to enhance clinical legal training beyond South Africa.

This innovative initiative serves as a powerful tool for transforming legal education, making complex legal scenarios accessible and engaging for students while addressing socio-economic barriers to legal services. The VR Courtroom Game allows students to immerse themselves in a simulated courtroom setting, where they can engage with multi-disciplinary legal problems, enhancing their analytical and practical skills in a safe, supportive, and technology-enhanced learning environment. This approach also strengthens cultural sensitivity and inclusion by fostering empathy and understanding among students, thus preparing them to better serve vulnerable and marginalised communities.

Through a collaborative, interdisciplinary approach, the VR Courtroom Game not only enhances the learning experience for law students but also facilitates a more seamless transition from education into professional practice. The paper will explore how this immersive technology contributes to both the accessibility of legal education and the transformation of legal services in South Africa, with broader implications for other jurisdictions. The discussion will also highlight how such innovations can play a pivotal role in enhancing access to justice, particularly for communities historically excluded from legal support.

Keywords: legal education, technology in legal practice, access to justice, marginalized communities, VR Courtroom Game, interdisciplinary approaches, socio-justice, 4IR

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