7 KEY DIGITAL DESIGN PRINCIPLES

Guide for Legal L&D

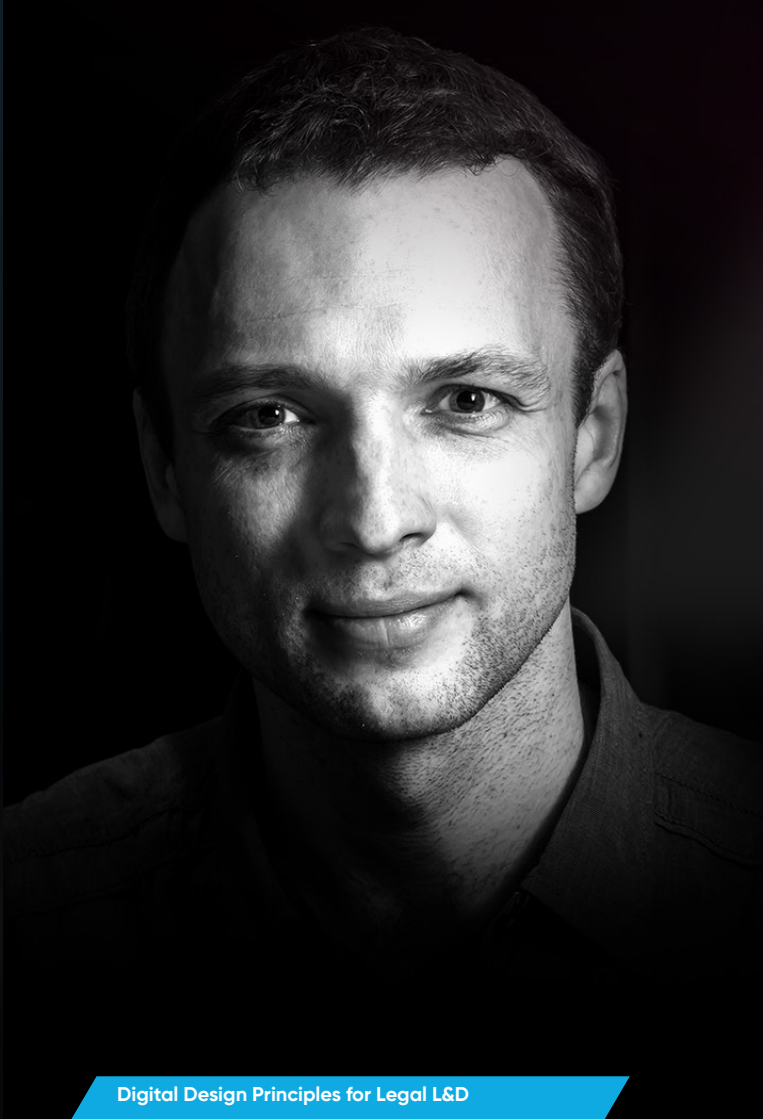The College
of Legal Practice

INTRODUCTION

In our first guide, Seven Steps to a Successful Digital Learning Strategy, we looked at what law firms need to do to create a successful learning strategy for the digital age. Once this roadmap of digital learning initiatives has been created, the Learning and Development (L&D) team can move to the design phase.

This guide highlights seven key design principles required to create learning experiences that are both relevant and engaging for employees.

Content

PRINCIPLE 1:
Digital learning should be designed to achieve learner outcomes

Perhaps the most important of all design principles is that learning is about the development of the understanding and capabilities of the learner. Therefore, it should be developed around a series of statements – these are sometimes described as learning outcomes, learning objectives or competencies. Whatever you decide to call them, they need to detail what a learner should know and be able to do as a consequence of engaging with that learning.

They should not be developed from a wish-list of topics and subject matter viewed as important for the relevant level of lawyer. This is crucial.

When designing a module about closing mechanics for a financing transaction for example, rather than listing the topics that an instructor will cover (conditions precedent, signing mechanics and e-signatures, drawdown of funds etc), articulate the required learning outcomes instead.

Learning outcomes example
Closing mechanics for a financing transaction

At the end of the module, lawyers will be able to manage the signing and closing process in a professional, efficient and risk-free way; and be accountable for and capable of:

- Drafting a closing checklist from deal documentation and assigning, tracking and managing tasks
- Drafting board minutes and resolutions and negotiating and managing legal opinions from overseas counsel
- Creating, sending and tracking signature pages for e-signature, using appropriate software
- Tracking the satisfaction of conditions precedent by collating and reviewing and, where appropriate, drafting the relevant documentation
- Making the appropriate security filings at Companies House within the time limits

Adopting a learning outcomes approach makes it easier to identify the materials and activities that will best enable learners to achieve the required outcomes. This includes identifying where digital media and channels can be used to best effect as part of the learning process, applying the other principles set out in this guide.
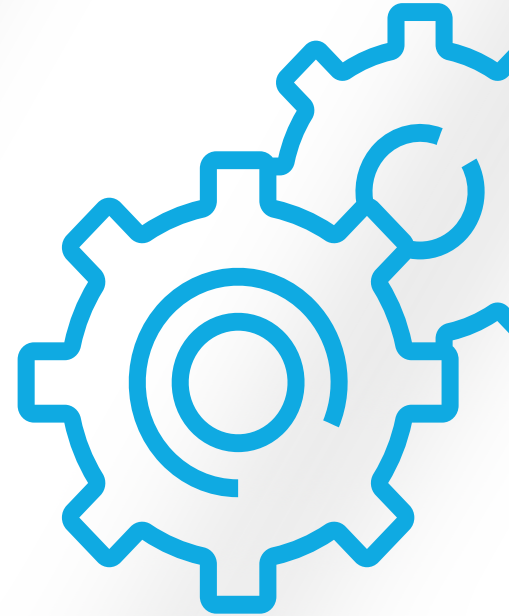
PRINCIPLE 2:
Digital learning should be engaging

Learning content that fails to engage is a waste of resources and of lawyer time. Done right however, digital delivery offers many opportunities to increase engagement.

It's crucial to know your audience - be aware that extensive use of interactivity could put off some learners. Be circumspect in your choice and make sure you tailor your content. Test you content with your intended audience and learn as you go.

- Consider using multimedia options for your content. Video or audio content works well

- Not all video or audio content needs to be generated in-house. For example, when designing a training session around oil and gas financing, provide a link to website content from one of the firm's clients in the sector

- The more interactive and media rich the content, the better. Try to vary the content as much as possible

- Wherever possible, avoid dry written materials. Consider gamification, interactive problem-solving, or scenarios and simulations instead

- If the learning is in a group setting, think about tools that can support the modules, such as digital whiteboards

PRINCIPLE 3:
Digital learning should be personalised

Personalised learning refers to a diverse offering of learning experiences that address the distinct learning needs, aspirations, or cultural backgrounds of individual learners. The more tailored or personalised the learning experience is, the more effective it will be. Personalisation options can include:

Learning groups

Divide the lawyer population into learning groups – for example: trainees, newly qualified solicitors, senior associates, counsel, partnership candidates, partners, partners taking on management responsibilities. Map out learning pathways for each group, linked to the firm's career framework, with clearly defined learner outcomes and goals.

Be flexible

Provide learners with a range of different digital options and modules to achieve their goals, allowing the learner to make choices within their own learning pathway.
Making each of these learning pathways visible to all can be empowering for learners, who can understand better the skills they will need to acquire to progress in the firm.

Make it visual

Provide a personalised dashboard for each learner which visualises goals and progress along the learning pathway. This will help busy lawyers, who may be immersed in a transaction or case for a lengthy period of time, to keep track of their learning and to progress through manageable modules at their own pace.

Link learning goals to career objectives

By collaborating with the firm's HR department, L&D teams can design a process that enables lawyers to create an individual learning plan linked to their own career objectives. This could sit alongside the more generic learning pathway that applies to their level of qualification.
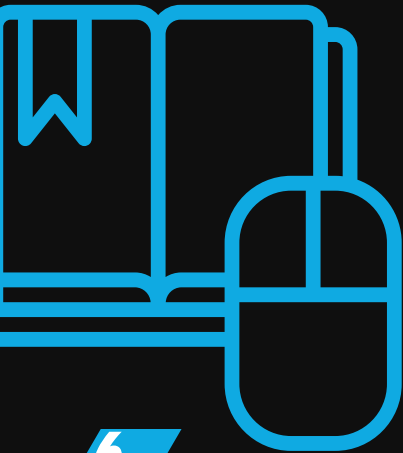
PRINCIPLE 4:
Digital learning should be social

Digital learning shouldn't be a lonely experience. It is through social interaction that we learn the most: the Q&A session at the end of a lecture; small group sessions feeding back into a plenary meeting; or simple observation of a more senior colleague at work – all of these social experiences can be invaluable for gaining new insights.

The theory of social learning is that the most successful learning takes place informally, where learners network, share, collaborate and exchange ideas to solve problems. For junior lawyers in particular, digital learning should be as social as possible; with lawyers spending less time in the office, design your digital experiences with collaboration and the formation of social learning networks in mind.

Social learning does not necessarily mean learning in groups, but rather learning through the example of others.

Techniques might include:

◢ Creating collaborative forums where learners can 'crowdsource' practical help from more experienced lawyers within the firm.
This will help to create a culture of supportive, collaborative learning

◢ Using gamification and rewards to incentivise collaborative learning and to encourage more experienced lawyers to support their peers

◢ Enabling chat functionality during webinars and using this to facilitate Q&A sessions

◢ Virtual whiteboarding sessions using software tools that allow small groups to collaborate or prototype together

PRINCIPLE 5:
Digital learning should be diverse

Diversity and inclusion should be a strategic priority for all law firms. When it comes to learning experiences, these too must reflect the same commitment.

◢ Be explicit about the importance of diversity and inclusion, and reinforce this, both for those writing and delivering content and for the learners consuming it

◢ Review all content and correct for potential bias and assumptions about the learner's knowledge or experience. Make sure that materials (such as case studies and images) are inclusive, unbiased, and representative

◢ Provide a mechanism for learners to give immediate feedback if content is perceived to be biased or non-inclusive

◢ Consider not just gender and racial orientation but also other cultural factors, particularly if you are designing for learners from different international offices

◢ Although you should assume a level of professionalism, virtual group learning should be appropriately monitored (particularly when it involves trainees or junior lawyers new to the firm) for potential bias or microaggressions, or any other behaviour that may make it difficult or uncomfortable for some learners to be engaged or feel a sense of belonging
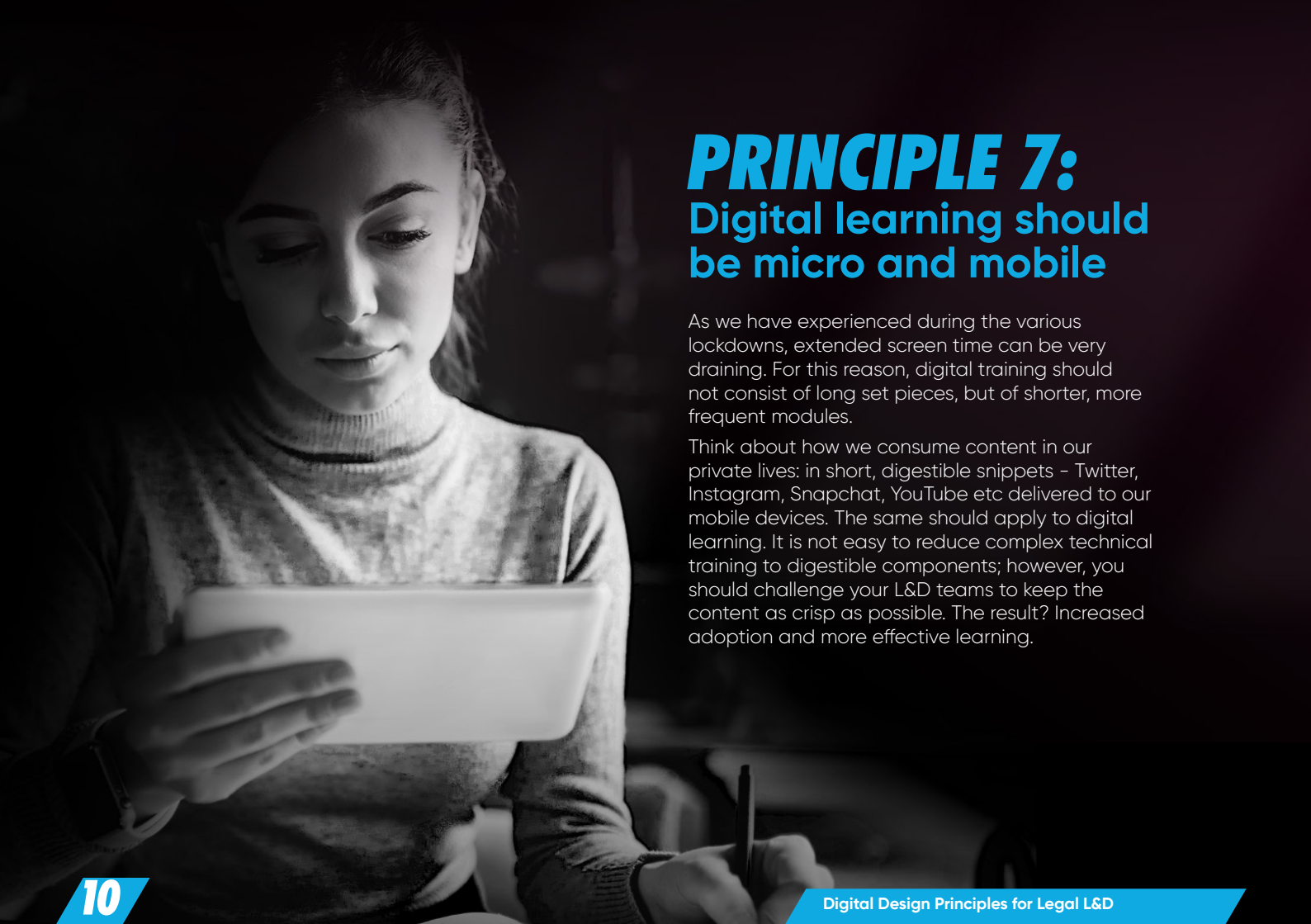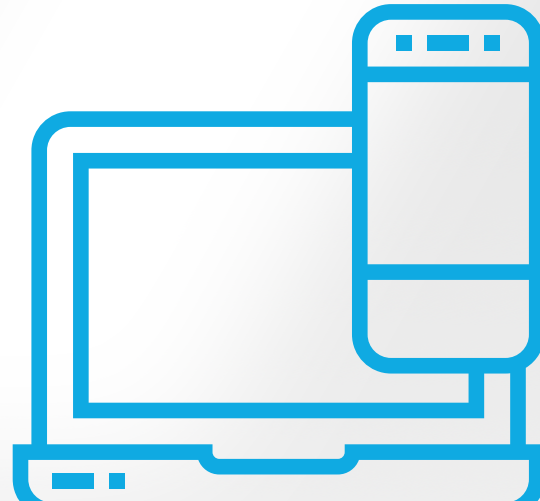
PRINCIPLE 6:
Digital learning should be accessible

When creating a digital learning experience, its important that you design with accessibility in mind, rather than treating it as an afterthought.

Universal design (designing for the needs of all learners) does not just benefit learners with disabilities – it has subsidiary benefits for others as well. For example, captioning videos ensures access for a learner who is deaf, but can also benefit non-native speaking lawyers, or those accessing the content without headphones in a loud environment.

PRINCIPLE 7:
Digital learning should be micro and mobile

As we have experienced during the various lockdowns, extended screen time can be very draining. For this reason, digital training should not consist of long set pieces, but of shorter, more frequent modules.

Think about how we consume content in our private lives: in short, digestible snippets – Twitter, Instagram, Snapchat, YouTube etc delivered to our mobile devices. The same should apply to digital learning. It is not easy to reduce complex technical training to digestible components; however, you should challenge your L&D teams to keep the content as crisp as possible. The result? Increased adoption and more effective learning.

SHAPING THE FUTURE OF L&D

Perhaps the most important of all design principles is that learning is about the development of the understanding and capabilities of the learner. Therefore, it should be developed around a series of statements – these are sometimes described as learning outcomes, learning objectives or competencies. Whatever you decide to call them, they need to detail what a learner should know and be able to do as a consequence of engaging with that learning.

They should not be developed from a wish-list of topics and subject matter viewed as important for the relevant level of lawyer. This is crucial.

When designing a module about closing mechanics for a financing transaction for example, rather than listing the topics that an instructor will cover (conditions precedent, signing mechanics and e-signatures, drawdown of funds etc), articulate the required learning outcomes instead.

ABOUT US

The College of Legal Practice is a digital provider of legal education. We create collaborative, interactive and practical learning experiences to help students progress in legal practice. This e-guide is part of our Online by Design content series, exploring ways to help L&D teams reimagine their learning experiences for a post-pandemic digital age.

Contact us

If you would like to find out more about our programmes, please get in touch:

Email info@collegalpractice.com **or call 020 3884 4112**

Follow us

@collegalpract

@thecollegeoflegalpractice

@collegalpract

The College of Legal Practice

Date of publication: June 2021

Written by:

Isabel Parker
Executive Director, Digital Legal Exchange

Professor Scott Slorach
Director of Teaching and Learning, York Law School

The College of Legal Practice