

PSIM CONSORTIUM

Professional Skills Instruction Materials
CONSORTIUM



Overview of PSIM consortium

The Professional Skills Instruction Materials Consortium (PSIM Consortium) collectively develops and deploys educational materials for shared use in the professional skills instruction in law school, such as mock trials, lawyering, and so on. A large number of law schools from all around Japan participate in the Consortium to promote the development of professional training programs and teaching methods. In recent years, law schools from South Korea and China have also begun to participate on an observer basis.

How PSIM was formed

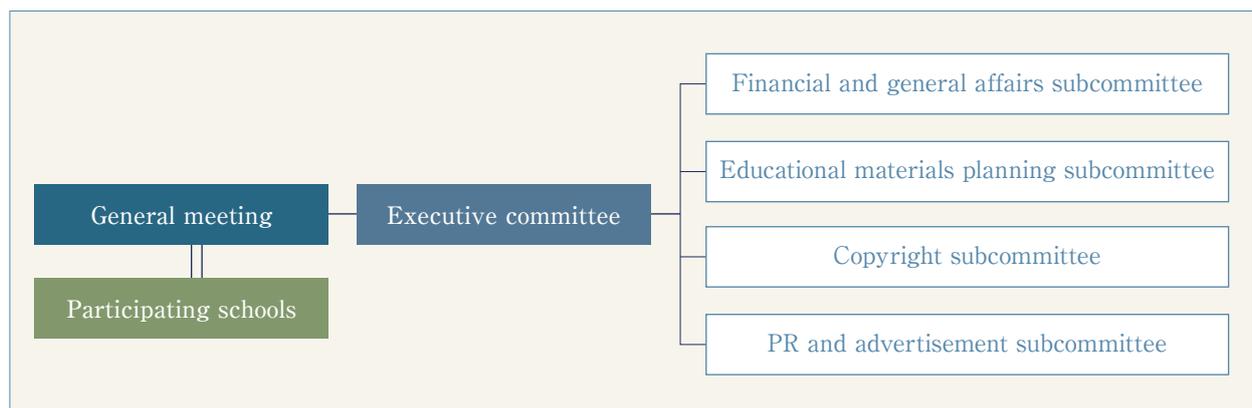
In 2004 law schools (J.D. programs) were established in Japan. With this appeared new training courses in professional skills, such as in interviewing, cross-examining, and negotiating. Such courses had been largely absent in undergraduate legal education before this. Consequently, such courses were complete new territory for law faculties. There was a shortfall in adequate educational resources, methods, and training staff. In response to this, sponsored by the Japanese Ministry of Education, a group of law schools started Project for the collaborative development of practical skill training resources (a.k.a. PSIM Project), with Nagoya University serving as the main institution, and this was active until 2006. Building on the successes of this project, in 2007 the organizational structure was changed to an inter-university one as the new PSIM Consortium, which is how it operates today.

Aims

The PSIM Consortium has created a PSIM Web which acts as an internet-based network between the participating schools. It implements educational activities that serve as a bridge between theory and practice. It supports the training of professionals in communication skills through the following activities:

- ① The development and provision of practical skill instruction through mock trial, lawyering and others.
- ② The development of educational theories in professional skill education
- ③ The development of teacher training programs for professional skill education

Organization





Progress

The PSIM Consortium engages in activities that gather together and connect the experiences of the participating schools. Further to this, it creates academic exchanges with overseas institutions. The Consortium is linked through academic cooperation with NITA (National Institution for Trial Advocacy) in the USA. It includes five non-Japanese schools participating as observers. In addition to this, it has engaged in mutual exchanges of information in regard to practical skills training methods and material creation, with University of Wisconsin, UCLA, the University of Hawaii, Pepperdine University, the University of Linz in Austria, and the National University of Singapore.



Japan

- Nagoya University Graduate School of Law
- Aichi University Law School
- Aichi Gakuin University Law School
- Osaka City University Law School
- Okayama University School of Law
- Kagawa-Ehime Universities' Graduate School of Law
- Kagoshima University Law School
- Kanazawa University Law School
- Kwansei Gakuin University Law School
- Kyushu University Law School
- Kyoto Sangyo University Law School
- Kumamoto University School of Law
- Kokugakuin University Law School
- Shizuoka University Law School
- Sophia University Law School
- Shinshu University School of Law
- Senshu University Law School
- Chukyo University Law School
- Toin University of Yokohama Law School
- Tokai University Law School
- University of Tokyo School of Law
- Tohoku Gakuin University Law School
- Tohoku University School of Law
- Dokkyo University Law School
- Nanzan University School of Law
- Niigata University School of Law
- Nihon University Law School
- Hiroshima University Law School
- Hokkai Gakuen University Law School
- Graduate School of Law, University of the Ryukyus
- Ryukoku University Law School
- Waseda University Law School

- Japan Federation of Bar Associations
- Local bar associations
- NPO for legal education support centers

Sharing Teaching Methods

- NITA (National Institute for Trial Advocacy)
- ACT of Communication



PSIM Web

- Gathering practical training knowledge
- Activating E-learning
- Gathering practical skills
- Sharing information via the Web

Observer participants



China

- China University of Political Science and Law



South Korea

- Inha University
- Kyung Hee University
- Seoul National University
- Sogang University

Academic Exchanges



USA

- University of Wisconsin
- UCLA
- University of Hawaii
- Pepperdine University



Austria

- University of Linz



Singapore

- National University of Singapore

Main Activities

General Meeting and Executive Committee Meeting

The PSIM Consortium holds a general meeting once a year and an executive committee meeting twice a year for consultations on the management of the consortium.



PSIM Seminar

A PSIM Seminar is held on the topics of training materials, methods, and professional training, and is aimed at law schools all around Japan. Researchers are also sent to research institutions dealing with trial advocacy in the West and Asia, and researchers from such institutions are invited to Japan to facilitate further exchanges of information.

▶ Lectures & Symposia

Lecturers are invited from Japan and overseas to provide a broad introduction to the most advanced training practices. This is done in cooperation with all participating law schools.

Example events

- “The significance of and issues for the Okayama University Attorney Training Center” (November 2014)
- “Division of roles between the Judicial Research and Training Institute and law schools in training courses for legal professionals” (November, 2013)
- “The Juvenile Justice System In America: Looking Backwards, Looking Forward” (June, 2013)
- “Importance of and issues in education materials in criminal lawyer training: initiatives from the Japan Legal Support Center Research Office for Trial Lawyer Skills for Lay-Judge system.” (November 2012)
- “Current situation and problems in Chinese law schools (Provisional)” (November 2011)
- “Essential points in teaching materials and teaching methods for role-play lessons” (November 2010)
- “Educating for examination skills in the era of lay judges: the challenges for law schools (symposium)” (September 2009)





► NITA Seminar

Lecturers from NITA (National Institute for Trial Advocacy, USA) are invited to each region to give legal practice training seminars (workshops). Those who take part learn a great deal from such participatory training. Teachers also pick up many tips in supervision methods.

Impressions from participants



Cross-examining is difficult. There is no right answer. But there are clearly skillful and effective ways to cross-examine. It is a skill you can hone depending on how rigorously you train yourself. That is what I learned in the NITA trial advocacy program's practical experience seminar. This is what I felt the most. Grappling with same topics as legal people from outside academic law schools, and having the opportunity to get advice was, for me, someone preoccupied completely with the difficulty of cross-examining, a lesson in the creativity of cross-examining. This seminar has motivated me to strive study further in my current studies so as to make my training experiences useful for actual cross-examination. (law school student)



On this program the teachers brilliantly provided massive hints for doubts about what constitutes good examination. Furthermore, this was put into practice immediately with the teachers making precise comments giving the opportunity for self-correction. In this way, we can immediately practice the knowledge we have learned and feel for oneself the difference between "good examination," something you just hear about, and one's own way of examination, which will give us an image of what we are meant to do when we get to practice. Also, the teacher valued us for trying without fear of failing so everyone began to participate actively. It was such a stimulating use of time. (legal apprentice)



In this seminar, the prosecution and the defense teams were separated and we practiced closing argument along with main- and cross-examination using cases in materials distributed to us beforehand. After my attempt, I got advice from the lecturer to use words that even an ordinary old lady could understand and to not use too much legal terminology. Even though I had intended to talk in a plain manner, I felt it was still not good enough. It was a very valuable opportunity to look at oneself objectively. Also, with the advanced skills of the other lawyers taking part, there was a wonderful active sense of participation among the trainees which was wonderfully stimulating. More than anything, for the entire training there was a warm atmosphere of humor that dispelled any sense of failure, which meant that the participants could talk freely and learn from each other. The skill of the lecturers in providing precise guidance in such a warm atmosphere was absolutely wonderful. I want not just law school students, but also lawyers with vast experience to participate in these wonderful seminars. (lawyer)



Compiling practical training materials

The PSIM Consortium has developed an array of clinical teaching materials for legal instruction, in cooperation with participating schools. A collection of video lessons has been built using these materials, as well as an instructor's manual on their use in course instruction.

Amount of teaching material created

Related to mock civil trials	34
Related to mock criminal trials	28
Related to civil lawyering	47
Related to criminal lawyering	1
AV material (DVDs etc.)	11

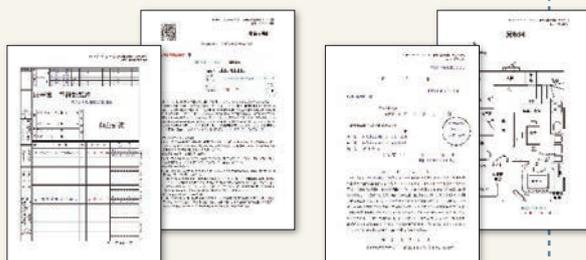
(As of February 2015. Numbers include materials undergoing revisions or updates, and materials in preparation)



We are also accumulating video recordings of lessons using these materials and compiling teacher's manuals explaining how to teach classes.

[Example structure of mock civil trial]

- ◆ Teacher's manual
- ◆ Party memos
- ◆ Record of proceedings
 - ◇ Category 1: Reports and cover sheets
 - ◇ Category 2: Party submissions
 - Claims (petition, response, briefs)
 - Index of evidentiary documents and witnesses
 - Exposition of evidence
 - Exhibits
 - Witness statements
 - Evidentiary claims
 - ◇ Category 3: Power of attorney, service of process
- ◆ Points and authorities



[Example structure of mock criminal trial]

- ◆ Teacher's manual
- ◆ Investigation documents
 - Referral certificate, emergency arrest report, record of possessions, reports of onsite investigations, prosecutorial verification certificates, charts and figures, expert opinions, investigation reports, records of testimony
- ◆ Trial records
 - ◇ Index (goods seized, agency fees)
 - ◇ Category 1: Trial documents
 - Indictment, statement of facts to be proven, statement of claims, clarifications, record of trial and pretrial proceedings
 - ◇ Category 2:
 - ID cards, defendant deposition, witness statements, oaths
 - ◇ Category 3:
 - Warrants for arrest and detention
 - ◇ Category 4:
 - Authorization of court-appointed
 - ◇ Category 5:
 - Record of lay judge procedure



▶ Comments from teachers who have used the materials

VOICE 1

Last year I first started using PSIM's materials. What I used was a case claiming contract payment, teaching material No. 24.

There were two main reasons for picking this material. Firstly, considering the number of actors we can find and our class time allowed to use in the intensive examination, the scenario is suitable because it requires a total of three people, a plaintiff, a defendant and a witness. The second is that it has examination records of parties and a witness besides their written statements. By showing the actors these documents in advance and telling them that it was ok to answer the contents of the records and statements if asked by the students as lawyers, but not to actively report the contents, it was possible to approximate an actual witness testing with having the prosecutors and defendants do the questioning.

Osaka City University has mock trials where the materials given to representatives are strictly separated between the plaintiff and the defendant, and the mock trial is conducted very much like a real trial, so the second point was extremely useful for us.

On the other hand, the point at issue in dispute was decided on whether or not a contract had been established so it slightly lacked an interesting dynamic. Furthermore, if details that the parties and witnesses should know were to be included, this would perhaps make the mock trial more realistic. It would be too much hope, though.

Hirohiko Harada (professor/lawyer) Osaka City University Law School

(Extract from PSIM News No. 14)

VOICE 2

In the past I mostly used materials supplied by the Japanese Bar Association or the instructor in-charge (mainly an instructor sent by the courts). However, in my 2011 mock trial classes I used materials from PSIM.

The reasons for choosing this tort case was that the fact findings were the main point at issue and the other points were simple and concise. It was the first year when the civil mock trial was moved to the second semester of the second year in the curriculum, I was unsure of how students can deal with the materials, so I used the case in consideration of the educational effects.

In the class, the issues were arranged smoothly during the four trial dates, and the material, I think, was easy for the students to deal with. From the point of view of teaching, I think it would have been better if there were issues that were more challenging for the students, but considering the objectives of the class was to experience substantive law and procedural law, I feel now that the cases allowed the students some flexibility like in a real case. I felt that, even for the instructor, it was necessary to experience hands on the appropriate level for the materials by dealing with a multitude of cases. Using the PSIM materials was a very valuable experience for me.

Yuji Fujita (associate professor/lawyer) Graduate School of Law, University of the Ryukyus

(Extract from PSIM News No. 13)

Advanced tool development

STICS | SStream Indexing and Commenting System

“STICS” great advantage is that it registers recorded footage and then offers access to restricted members through streaming on a unique server over the internet. The “viewing screen” enables one to view the video and leave comments on particular scenes. The “reading screen” shows a list of comments from numerous participants. It is possible to pick up comments from particular individuals or groups. Furthermore, by clicking on a comment on the “reading screen” the footage for the scene the comment refers to will play on the “viewing screen,” offering the possibility for more effective reflections of the lessons.

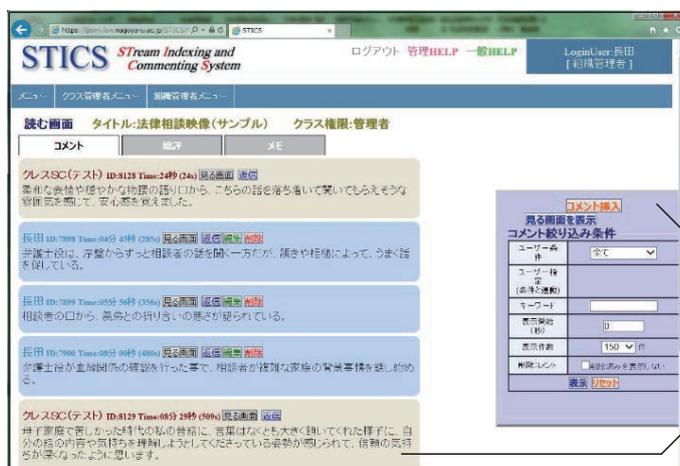
[Video Section]

It is possible to view streamed footage uploaded to a dedicated server.



[Comment Section]

It is possible to leave comments for each scene and exchange opinions using a noticeboard format.



[List of Comments (Reading Screen)]

Comments attached to each video are displayed in a list. It is possible to abstract and check one user's comments. Furthermore, the video for the relevant scene can be watched by clicking a button within the comments.

*There is also a “STICS-mini” which can be operated on a laptop in a LAN environment as a simple server.



PSC | Professional Skills Commentator

“PSC” is a software that enables the easy compilation and display of video material with attached comments using the recordings of simulated scenes, such as mock trials and mock consultations. With a laptop and webcam, it is possible to use STICS basic functions (viewing footage, attaching comments to any scene, playing footage from relevant scenes) in addition to recording film.

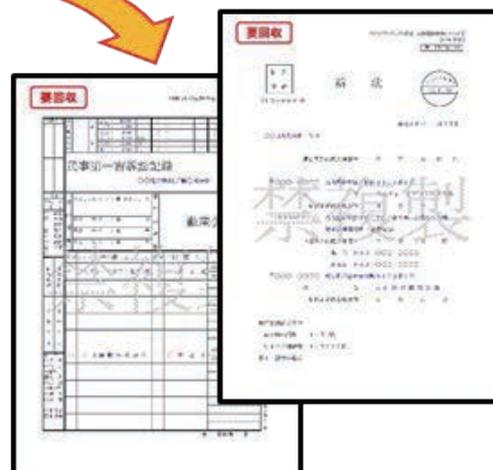


db-MASC | data base for MAterials of SScenario

“db-MASC” is a system for sharing the scenario materials and document materials for mock trials and mock consultations. Users (registered teaching staff) login with their ID and password, and after viewing a summary of the materials in the overview of contents screen, may download the documents in PDF form and view the contents.



Educational materials (in PDF form) can be downloaded and their contents viewed.



Publications and printings



Carol B. Anderson, Inside Juror's Minds: The Hierarchy of Juror Decision-Making (translated into Japanese) [2014, Kitaoji Shobo] ISBN: 978-4-7628-2850-0



Deanne C. Siemer et al., Effective Use of Courtroom Technology: A Lawyer's Guide to Pretrial and Trial (translated into Japanese) [2011, Jigaku-sha] ISBN: 978-4-903425-69-6



Steven Lubet, Modern Trial Advocacy (translated into Japanese) [2009, Jigaku-sha] ISBN: 978-4-903425-40-5



Brian L. Culter, Eyewitness Testimony: Challenging Your Opponent's Witness (translated into Japanese) [2007, Kitaoji Shobo] ISBN: 978-4-7628-2577-4



Act of Communication, What Can Lawyers Learn from Actors? (Japanese Edition) [DVD]



Seiji Sato et al., Teacher's Manual: Civil Case mock trial for Beginners (in Japanese) [2008, Jigaku-sha] ISBN: 978-4-903425-34-4



PSIM Consortium, Teacher's Manual: Criminal Case mock trial (in Japanese) [2008]



PSIM Consortium, Teacher's Manual: Civil Case Lawyering (in Japanese) [2008]



PSIM Consortium, Teacher's Manual: Criminal Case Lawyering (in Japanese) [2008]

The records of the lecture meetings for the PSIM seminars are published in the bulletins of the participating universities.



History

<p>2007</p> <p>Sep. Inaugural General Meeting (in Nagoya)</p> <p>2008</p> <p>Sep. The 1st PSIM Seminar (in Nagoya) Nov. The 2nd General Meeting (in Nagoya)</p> <p>2009</p> <p>Feb. The 2nd PSIM Seminar (in Tokyo) Jun. The 3rd PSIM Seminar (in Tokyo) Sep. The 4th PSIM Seminar (in Tokyo) Nov. The 3rd General Meeting (in Nagoya) Nov. The 5th PSIM Seminar (in Nagoya) Nov. The 6th PSIM Seminar (in Okayama)</p> <p>2010</p> <p>Jul. The 7th PSIM Seminar (in Nagoya) Oct. The 8th PSIM Seminar (in Saitama) Nov. The 4th General Meeting (in Nagoya) Nov. The 9th PSIM Seminar (in Nagoya)</p> <p>2011</p> <p>Oct. The 10th & 11th PSIM Seminar (in Nagoya) Nov. The 5th General Meeting (in Nagoya) Nov. The 12th PSIM Seminar (in Nagoya)</p>	<p>2012</p> <p>Jun. The 13th PSIM Seminar (in Kyoto) Nov. The 6th General Meeting (in Nagoya) Nov. The 14th PSIM Seminar (in Nagoya)</p> <p>2013</p> <p>Jun. The 15th & 16th PSIM Seminar (in Okinawa) Nov. The 7th General Meeting (in Nagoya) Nov. The 17th PSIM Seminar (in Nagoya)</p> <p>2014</p> <p>Jun. The 18th & 19th PSIM Seminar (in Ehime) Oct. The 8th General Meeting (in Nagoya) Oct. The 20th PSIM Seminar (in Nagoya)</p> <p>2015</p> <p>Jun. The 21st & 22nd PSIM Seminar (in Kumamoto) Nov. The 9th General Meeting (in Tokyo) Nov. The 23rd PSIM Seminar (in Tokyo)</p>
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▶ PSIM News

The PSIM Consortium publishes the consortium newsletter (PSIM News) on developments in research into teaching materials for skills training which includes a record of activities. The PSIM News can be downloaded from the PSIM Consortium homepage.

(<http://www.law.nagoya-u.ac.jp/~psimconsortium/news.html>)



A map of Japan is shown in a light blue color, centered on a dark blue background. The text "PSIM CONSORTIUM" is overlaid on the map. Below the main text, the full name "Professional Skills Instruction Materials CONSORTIUM" is written in a smaller font.

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Address: Nagoya University Furo-cho, Chikusa-ku, Nagoya 4648601 JAPAN

Tel&Fax: +81-(0)52-788-6234

Mail: psim@law.nagoya-u.ac.jp

Website: <http://www.law.nagoya-u.ac.jp/~psimconsortium/>

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