

# EQUIPPING STUDENTS FOR THE REAL WORLD: USING A SCAFFOLDED EXPERIENTIAL APPROACH TO TEACH THE SKILL OF LEGAL DRAFTING

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## ABSTRACT

Legal practice often requires interpretation of complex legislative provisions or simplification of indecipherable or incoherent precedents burdened with legalese. The fundamental aim of law school teachers is to equip students for the demands of legal practice and the Threshold Learning Outcomes for Law (specifically TLO 5) reflect the importance of developing the written communication skills of all law school graduates. A good legal education must equip students with the skills to meet the considerable challenges they will face as practising lawyers, and well-developed legal drafting skills are essential for effective legal practice. Using a consumer lending transaction as an example, this article will identify the difficulties associated with achieving the balance in legal drafting between protecting a client's legal interests and clearly and concisely conveying the appropriate message to the intended audience. Drawing from this example, which highlights the complexity of standard commercial transactions, this article will demonstrate that utilising both scaffolded and experiential learning approaches to teach legal skills is an effective way for students to develop legal drafting skills.

Keywords: scaffolded instruction; plain language drafting; plain English drafting; legal skills; legalese.