

USING GUIDING PRINCIPLES TO CONSTRUCT EFFECTIVE MULTIPLE CHOICE EXAMS TO ASSESS LEGAL REASONING

FELICITY DEANE AND DANIELLE BOZIN

ABSTRACT

The purpose of this paper is to apply established principles for designing effective multiple choice questions to the development of multiple choice exams that can assess high level legal reasoning skills. The authors advocate for an extension of the use of multiple choice exams and suggest that established principles for designing effective multiple choice questions are transferrable to the law discipline. Rule based reasoning in traditional law exams requires that students have knowledge of a legal rule, apply it to a given set of facts (which may include reasoning by analogy), consider any exceptions to the rule and draw conclusions on the basis of their analysis. Drawing on pedagogical principles of assessment design and the requirements of the skills associated with teaching and learning legal reasoning, it is proposed that this process can be replicated in multiple choice exams in a meaningful manner. The authors have collaborated in creating a multiple choice exam to assess legal reasoning, and in analysing the process and methods undertaken to successfully develop this exam. This paper is a discussion of those processes and the justification for the inclusion of this type of assessment item in the law discipline.