Shaping the Law Curriculum with Authentic Assessment: Online Dispute Resolution (ODR) Simulation and Dispute System Design (DSD) in Legal Education

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Abstract

This article updates the author's earlier study, "Online Dispute Resolution Simulation: Shaping the Curriculum for Digital Lawyering" (Wang 2021a), while advancing a distinct pedagogical contribution: it extends the original online dispute resolution (ODR) simulation framework to incorporate dispute system design (DSD) as a means of teaching students not only to participate in dispute resolution, but also to design, evaluate and govern technology-enabled dispute systems. The original study demonstrated how ODR simulation workshops create a virtual learning environment in which students develop both legal and digital competencies for future professional practice. Conducted since 2007 with undergraduate and postgraduate law students at Brunel University of London and other institutions and initially supported by funding from the Nominet Trust in 2010, these workshops promote active participation, intercultural communication and reflective practice, while strengthening skills in legal reasoning, problem-solving and digital communication. Building on this foundation, the article evaluates DSD as a new teaching initiative implemented within the University of London distance learning Alternative Dispute Resolution (ADR) module and Brunel University of London's Internet Law module. While ODR simulation and DSD differ in emphasis—practical dispute resolution versus system design—both employ authentic assessment, requiring students to apply knowledge and skills to realistic scenarios. Together, these approaches deepen engagement, foster critical reflection and enhance professional readiness for technology-enabled dispute resolution and digital lawyering.

Keywords: online dispute resolution; dispute system design; artificial intelligence; authentic assessment; team-based learning; student-centred learning; research-informed teaching.

[A] INTRODUCTION

Globalization has created a demand for law graduates equipped to operate in international and multijurisdictional contexts, with law firms increasingly requiring lawyers with cross-border expertise (Faulconbridge & Muzio 2009: 1358). Legal professionals are now expected to handle international cases and cross-border disputes, requiring both basic global competence and strong problem-solving abilities (Kim 2018: 907–908). International commercial arbitration has become a preferred method for resolving such disputes, mainly due to the enforceability of arbitral awards under the New York Convention on Arbitral Awards 1958 (Wang 2010: 159). At the same time, pressures arising from increasing caseloads and court backlogs have prompted a shift at the domestic level toward greater reliance on alternative dispute resolution (ADR); in the United Kingdom (UK), mediation has increasingly moved from a voluntary option to a mandatory or court-directed step under the Civil Procedure Rules, reflecting a policy emphasis on early, cost-effective settlement and the efficient management of judicial resources (Wang 2026).

ADR modules have become widely integrated into law school curricula, initially in the United States and subsequently in Australia (Australian Law Reform Commission 1997), incorporating interdisciplinary elements such as communication, social sciences, management, psychology and game theory (New South West Law Reform Commission Report 1991: 41; Douglas 2008: 126). In recent years, law schools have recognized the value of stand-alone ADR modules and the use of online dispute resolution (ODR) simulations in teaching (Ainsworth & Ors 2019: 95), with calls to incorporate ODR elements into ADR teaching due to their practical differences (Goldberg 2014: 13). With the increasing importance of digital competency, graduates are expected not only to possess basic digital literacy but also to adapt to evolving technologies within legal professions, including roles such as lawyers, judges, arbitrators and mediators (Wang 2021a: 218).

ODR encompasses various forms of ADR and e-courts, using digital communication technologies such as emails, telecommunication applications and other online platforms. While ODR can be applied to most civil and commercial disputes, it is particularly suited to electronic transactions and internet-related cases, where evidence can be submitted digitally with ease (Wang 2018: 8). Compared with traditional methods, ODR offers greater efficiency, cost-effectiveness and flexibility in resolving disputes (Wang 2009). In the era of artificial intelligence (AI), ODR systems are gradually incorporating automation, including AI-assisted

negotiation through chatbots, with human intervention engaged when automated processes are insufficient. Partly AI-assisted environments can, for example, transcribe audio evidence and generate provisional outcomes for human review. In the longer term, fully AI-enabled ODR systems, in particular AI-enabled mediation and arbitration, may autonomously collect and analyse case data, interpret relevant rules and deliver outcomes without human involvement (Wang 2018: 98). Initiatives such as "arbitrator intelligence" aggregate historical arbitral decisions to inform decision-making in digital dispute resolution (Arbitrator Intelligence Questionnaire 2015). Moreover, service-oriented computing and blockchain technologies provide opportunities for automating transactional tasks, executing smart contracts and supporting efficient dispute management (Wang & Griffiths 2010: 156; Daniel & Guida 2019: 46-53; Qiu & Ors 2020).

However, surveys have shown that many workers lack basic digital skills, prompting initiatives to enhance digital literacy across education and the workforce and foster lifelong learning skills (European Commission 2010; Cedefop 2018; Thanaraj 2018: 67; Cedefop 2019; European Commission DESI 2020). Digital literacy in legal education encompasses professional, social, cultural and personal communication practices using diverse digital media, as well as general data literacy for quantitative legal analysis, which is essential for participation in a data-driven economy and society (Galloway 2017: 6; European Strategy for Data 2020). ODR simulation workshops support these goals by enabling students to use current technologies, consider potential AI applications in filing, processing and decision-making, and develop both legal and digital competencies through a blended learning platform (Wang 2021a: 220). These workshops move beyond digital literacy to foster digital empowerment by enabling students—particularly those from diverse or disadvantaged backgrounds—through flexible, accessible learning environments that enhance self-efficacy, collaboration and informed engagement with technology to improve access to justice (Wang 2021a: 220-221).

ODR simulation workshops prepare students for digital lawyering by immersing them in realistic, technology-mediated dispute resolution environments where they apply legal knowledge, use digital tools and reflect on their effectiveness. In doing so, they operationalize digital lawyering—understood as the effective, appropriate and safe use of digital technologies in legal practice (Thanaraj 2017: 11)—and align legal education with the profession's increasing reliance on advanced tools (Frostestad Kuehl 2019: 2), including AI, blockchain, cloud computing

and electronic evidence systems, while encouraging critical reflection on future technological developments in legal services.

As a form of experiential learning, these workshops provide a practical means of developing legal reasoning, problem-solving, digital literacy and intercultural communication skills. Students engage in realistic dispute scenarios, taking on different roles of complainants, respondents and arbitrators or mediators and producing outputs such as arbitral awards, mediation settlements and reflective observations (Wang 2021a: 222), which support the transfer of skills to professional practice through collaborative problem-solving and reflection (Ryan 2017: 138-139). Evidence suggests that, as part of a blended-learning approach, ODR simulations enhance information exchange, collaboration and trust-building among students (Grant & Lestrell 2020: 92, 100–101). While challenges such as uneven participation may arise (Simmons & Thompson 2017: 222, 240–241), these can be addressed through careful task design, strategic group formation and preparatory instruction (Wang 2021a: 225-227), with platforms such as Modria proving particularly effective in supporting the development of dispute resolution skills (Ainsworth & Ors 2019: 101).

Building on the earlier study (Wang 2021a), this article extends the pedagogical framework by introducing dispute system design (DSD) as a complementary teaching initiative implemented within the University of London distance-learning ADR module and the Brunel University of London Internet Law module, particularly for time-poor learners. DSD requires students to move beyond participation in online dispute processes and instead engage in the structured design, evaluation and governance of dispute resolution systems for emerging technological environments, thereby fostering system-level thinking, strategic design capabilities and critical engagement with ethical and regulatory dimensions of digital justice.

Foregrounding DSD while drawing on the earlier insights from ODR simulation as an experiential foundation, this article examines how students can be supported to develop not only practical dispute resolution skills but also the ability to design and critically assess AI-enabled dispute resolution systems. In doing so, it situates DSD within broader developments in digital justice, including platform-based dispute resolution, algorithmic decision-making, AI-assisted mediation and arbitration, and increasing cross-border regulatory complexity. It further highlights the pedagogical value of authentic assessment across both ODR simulation and DSD, where students undertake realistic, practice-

oriented tasks that develop legal, digital and intercultural competencies, with DSD placing particular emphasis on anticipatory design and critical foresight. The article argues that, when integrated, ODR simulation and DSD form a coherent, future-oriented framework that enhances student engagement and inclusivity while equipping learners with the adaptability, reflective capacity and professional competencies required for digital lawyering in the age of AI.

[B] PEDAGOGY OF INTEGRATING DSD WORKSHOPS TO ADVANCE TIME-POOR LEARNING

Since 2007, the author has conducted ODR simulation workshops across undergraduate and postgraduate modules in Internet Law, ADR, International Commercial Arbitration and International Trade Law, using online conferencing tools to create an interactive and flexible online mediation and arbitration environment in which participants resolve cases in a way that enhances legal and technological skills, fosters debate and analytical engagement, and provides realistic experience of digital dispute resolution in virtual settings. Feedback indicates that the workshops are well received by students from diverse cultural backgrounds, particularly those for whom English is not a first language, as the online environment allows more relaxed communication than face-to-face settings (Wang 2021a: 219).

Technologically assisted learning combines traditional group work with e-learning to support flexible and personalized learning (Rossen & Hartley 2001: 109; Armitage & O'Leary 2003; Sharma & Mishra 2007: 3). Supported by clear instructional guidance, structured curriculum planning and minimum technical standards, these workshops ensure consistency while maintaining flexibility. Through scenario-based tasks, students develop both substantive and procedural legal understanding while enhancing digital competence, problem-solving skills, and adaptability to evolving technologies. The design of such workshops encourages students not only to operate within institutional platforms but also to explore and evaluate a range of software, fostering independent digital capability alongside legal reasoning (Wang 2021a: 221). Between 2007 and 2025, ODR simulation workshops have employed a range of communication tools, including MSN Messenger, Skype, Zoom, Google Chat and Slack, to deliver dispute resolution exercises and explore digital legal practice. Skype, in particular, proved especially effective for teaching and learning in this context. Its discontinuation in May 2025,

however, highlighted ongoing challenges in replicating stable, multi-session, video-enabled functionality for multiple groups on a single platform. The availability of such tools is one of the factors that has led to the development of alternative simulation approaches, such as DSD workshops.

Moreover, ODR simulation workshops are particularly effective in well-prepared learning environments where sufficient time is available, but they are less suited to time-constrained (also known as "time-poor") settings. Prior to 2025, students typically completed Internet Law (Part I – substantive law) before undertaking ODR simulation workshops in Internet Law (Part II – procedural law) within a year-long structure. This sequencing allowed carefully designed, realistic scenarios to build on students' substantive legal knowledge while enabling them to develop practical skills and an understanding of legal procedures. Moreover, ODR simulation workshops function most effectively where students have first developed prior interaction and a sense of academic community, often through preliminary face-to-face engagement before moving to online hearings conducted via instant messaging or video-conferencing platforms. This early in-person contact helps build trust, familiarity and confidence among participants, which in turn supports more active and effective collaboration in virtual dispute resolution exercises. However, when this structure is compressed into a single semester, students often find the demands of the simulation significantly more challenging.

Time-poor learners thus face constraints due to academic structures, such as compressing a year-long module into a single semester, or personal circumstances, such as balancing work alongside study or living in different time zones. Time-poor learning significantly impacts both learners and educators, as high communicative demands, continuous feedback and digital content creation under limited time and resources place persistent pressure on instructional practices, wellbeing and engagement with pedagogical innovation (Zhou & Ors 2025: 15). In this respect, it is important to distinguish between two implementation contexts developed in the 2025/2026 academic year: the University of London distance learning ADR module and Brunel University of London's Internet Law module. At the University of London, DSD was implemented within a fully distance-learning ADR module, where all teaching and interaction take place online, making it particularly suitable for time-poor learners as it accommodates geographically dispersed, professionally engaged students operating across different time zones and requiring flexible, asynchronous access to learning activities. By contrast, at

Brunel University of London, the DSD and ODR simulation components were specifically adapted for time-poor learners within a hybrid learning model, where the module structure is compressed into a single semester rather than delivered over a full academic year.

When a module is compressed from a full year to one semester, adapting teaching pedagogy and content becomes critical. Traditional linear, clock-based curriculum structures and overcrowded content create time constraints that fail to accommodate diverse learning paces, limiting students' ability to engage in deep understanding and critical thinking (Leek & Ors 2026: 82). In such time-poor settings, more flexible and responsive approaches to educational pedagogy are required.

DSD workshops offer an effective pedagogical approach for advancing learning in time-poor educational contexts. Unlike traditional teaching, DSD requires students to undertake self-directed research and apply knowledge and skills acquired earlier in the module, integrating substantive and procedural learning into a real-world task. In these workshops, students learn to develop structured systems for managing and resolving disputes, incorporating core principles of the ODR process. Embedding ethical considerations—including those relevant to ODR and AI-assisted arbitration—ensures that system design reflects professional standards while promoting inclusivity and due process (Wang 2025c: 798). By engaging with a concrete problem and designing an ODR system, students actively consolidate prior learning, develop strategic and critical thinking, and manage their time efficiently, which is particularly beneficial for learners operating under compressed schedules or other time constraints.

The DSD workshop pedagogy draws on real-world examples of technology-driven dispute resolution platforms to contextualize learning and enhance practical understanding. For instance, YouTube's Content ID and copyright strike system illustrates a highly automated ODR environment optimized for high-volume digital content, while eBay, courts and tribunals, NextDoor and Kleros demonstrate diverse approaches to user engagement, procedural complexity, and sustainability in dispute system design (Martinez 2020; Wang 2022). The recent discontinuation of the European Union Single-Entry ODR Platform in 2025 and the proposed next-generation guidance tool illustrate how platform design, accessibility and user-centred functionality are critical to effective dispute resolution (Wang 2025a). Comparing these platforms allows students to examine factors such as platform goals, accessibility, cost and time burden, case suitability, stage of proceedings and the extent of self-

execution in outcomes. Through this applied, problem-based learning, students experience the operational realities of designing dispute systems while practising time management, collaborative decision-making and digital literacy skills—all essential competencies for time-poor learners preparing for contemporary legal practice.

[C] DESIGNING AN EFFECTIVE AND FLEXIBLE LEARNING ENVIRONMENT

Both ODR simulation and DSD workshops are particularly well suited to the teaching of ADR, Internet Law and other subjects involving digital law because they mirror the very contexts in which contemporary disputes arise and are resolved. As ODR extends traditional ADR mechanisms into digital environments using electronic communications, it reflects the increasing prevalence of online consumer transactions, cross-border disputes and platform-based interactions where electronic evidence and asynchronous communication are central (Wang 2021b: 225). These features align closely with the subject matters of internet, contract and digital copyright regulations, where disputes frequently involve online conduct, digital assets and jurisdictional complexity. Moreover, the integration of emerging technologies allows students to engage critically with both the legal and technological dimensions of dispute resolution, including issues of trust, due process and enforceability (Wang 2021b: 226). DSD workshops further complement this by enabling students to design and evaluate dispute resolution systems that balance efficiency, accessibility and fairness—core concerns in ADR and digital regulation—thereby equipping students with the practical, analytical and digital competencies required for legal practice in increasingly technology-mediated environments.

An optimized ODR simulation-learning environment combines flexible, student-centred pedagogy with structured task design, clear procedural guidelines and appropriate IT support, allowing students to engage in role-play, problem-based activities and reflective practice while accommodating diverse learning paces and locations (Matthew & Butler, 2017: 152; Wang 2021a: 225-227). Such workshops enable students to identify legal issues, select and apply ODR methods (ie negotiation, mediation, arbitration), debate arguments and present outcomes, supported by peer and instructor feedback, creating a dynamic environment that fosters cognitive development, critical thinking and collaborative skills (Lustbader 1997: 859; Ponte 2006: 169-171). Team-based learning is embedded through strategically formed groups, application exercises, role allocation,

peer evaluation, and reflective presentations, drawing on evidence-based approaches adapted from other disciplines to enhance both individual and collective learning outcomes (Michaelsen & Sweet 2011; Weresh 2019: 304). ODR workshops enhance digital literacy, procedural competence and critical reflection on the role of technology in legal services by requiring students first to select and evaluate software and then choose the mediation or arbitration procedural rules for hearings, thereby further cultivating digital empowerment and professional readiness (Costa & Ors 2018: 150; Wang 2021a: 221). These workshops also integrate research-informed teaching, in which instructors' expertise in substantive and procedural law informs students' tasks, and students' investigations, reflections, and suggestions feed back into teaching practice, creating a continuous, curiosity-driven learning cycle (Griffiths 2004: 722; Zhu & Pan 2017: 437).

DSD workshops build on these qualities by transplanting ODR simulation's flexibility, problem-based learning and reflective practice into a time-poor environment, requiring students to research, design and critically evaluate dispute resolution systems that integrate ethical, procedural and technological considerations while consolidating prior learning, developing strategic and collaborative skills, and efficiently managing limited study time. Digital platforms or tools such as Padlet, Miro or Discussion Boards foster inclusive participation by enabling learners, particularly those less confident or with English as their second language, to share ideas asynchronously and engage more freely. DSD workshops emphasize active learning, peer-to-peer feedback and co-creation of knowledge, with students contributing concise, attributable responses and engaging in cross-group critique. By incorporating elements of design thinking, problem-based learning and digital collaboration, it develops essential legal skills such as systems thinking, digital literacy and ethical reasoning, while promoting inclusive participation through flexible and asynchronous contributions.

In the hybrid Internet Law module (2025/2026), DSD workshops use Padlet to support structured, visually collaborative, multi-stage group design tasks involving comparative platform analysis, stakeholder evaluation, ethical assessment and iterative peer feedback. Students are organized into structured groups and engage in iterative tasks that combine comparative analysis, stakeholder mapping and ethical evaluation to design a functional ODR system. On Padlet, students collectively brainstorm, organize ideas, and visually map system components, enabling real-time collaboration and iterative refinement of their ODR designs. That is, DSD workshops in a hybrid learning environment proceed in two structured

stages using Padlet, combining guided inquiry with collaborative design tasks. In the first stage, students are divided into groups and subgroups, each responsible for a thematic component of the worksheet. Subgroups respond to targeted design questions in concise written posts (eg up to 100 words), either individually or collaboratively, ensuring accountability through named contributions. The tasks begin with comparative analysis of existing platforms such as YouTube, eBay, and Taobao to identify differences in dispute resolution goals, users, processes, automation and evaluation mechanisms. Students then apply their insights to a practical scenario by designing an ODR platform system for self-driving taxi services, considering consumer disputes such as passengers contesting automated fare charges. Subsequent tasks guide students to identify key stakeholders, including passengers, operators, platform providers, insurers and regulators, analyse their priorities, and propose system features that balance efficiency, fairness and accessibility. The workshop further incorporates ethical evaluation, prompting students to define principles such as transparency, accountability and procedural fairness, ensuring that AI-driven components comply with these standards. In the second stage, students review another group's contributions and provide structured peer feedback, reinforcing reflective learning, comparative analysis and iterative improvement of dispute system design.

In the fully remote ADR module (2025/2026), DSD workshops are delivered via structured discussion boards on platforms such as Moodle, Brightspace or Blackboard Learn, requiring more sequential, text-based interaction in which students progressively build an ODR system design through guided posts, responses and reflective prompts. That is, unlike Padlet, which provides a highly visual, flexible and often asynchronous collaborative space, discussion boards require more structured posting and threaded responses, encouraging students to engage in sequential dialogue and develop coherent argumentation while still allowing academic peer interaction and co-creation of knowledge. In this setting, students are tasked with designing an ODR platform for automated self-driving taxi services, addressing disputes over payment, service quality, accidents, malfunctions, safety and operational issues. They are guided to consider essential elements of system design, including goals (eg speed, fairness, transparency, cost-efficiency), stakeholders (eg clients, service providers, ODR administrators, or third-party mediators), processes and rules (eg negotiation, mediation, arbitration, or hybrid approaches), resources (technology, staff, or financial investment), evaluation criteria (user satisfaction, resolution speed, or reduced conflict recurrence), and design considerations (automated, human-facilitated, or a combination).

Using the discussion board, students post concise design plans, respond to peers' contributions in an academic and constructive manner, and iteratively build a collective ODR system design, guided by a structured worksheet comprising comparative practice (eg analysing YouTube and eBay ODR systems), stakeholder perspectives (identifying priorities and resolving conflicts), ethical and design principles (fairness, transparency, accessibility, and accountability) and procedural rules for handling both simple and complex disputes. A set of academic reflection questions is embedded to focus strictly on students' personal learning and development, prompting them to consider their engagement with the task, the challenges they encountered and strategies used, the academic skills they developed or strengthened, and how the exercise influenced their understanding of collaboration as a method of learning and problem-solving. Students are expected to comment on peers' contributions constructively but explicitly prohibited from making personal criticisms or evaluative judgements about others. This approach balances structured engagement with iterative peer interaction, ensuring that students develop practical legal and digital competencies, critical thinking and problem-solving skills, while maintaining inclusive participation even in a fully remote learning environment.

When constraints relating to time and resources are alleviated, the integration of ODR simulation and DSD workshops can further enhance teaching and learning, reflecting broader developments at the intersection of legal education and digital transformation, where increasing attention is given to the ethical, procedural and regulatory implications of technology-assisted dispute resolution. Scholarship on AI in online commercial arbitration emphasizes core principles such as fairness, transparency, accessibility, competence and accountability, which serve as essential normative benchmarks for students designing dispute systems (Wang 2023: 540). Related work on online content dispute resolution highlights how digital platforms and automated moderation tools interact with legal norms, exposing complexities in liability, procedural safeguards and the harmonization of cross-border notice-and-takedown mechanisms (Wang 2022: 505-507), while comparative studies of administrative copyright enforcement in China and Europe further demonstrate how algorithmic tools operate within broader dispute infrastructures, shaping access, efficiency and consistency across jurisdictions (Wang 2025c: 786-788, 798-801).

By linking experiential ODR simulation with DSD exercises, the curriculum encourages students to engage not only with the practical operation of dispute resolution processes but also with the design, evaluation and governance of AI-enabled systems. Both approaches

incorporate instruction on AI not as a technical specialism to be mastered, but as a professional tool requiring critical and functional understanding. This is increasingly essential for lawyers who must evaluate outputs, manage risks, meet professional obligations and interact effectively with evolving technologies. At the same time, these workshops are designed as student-centred, team-based and research-informed learning environments that emphasize authentic learning and reflection, enabling students to apply knowledge in realistic contexts, identify gaps in their competencies and develop them collaboratively.

Within the evolving legal education landscape, including the introduction of the Solicitors Qualifying Examination (SQE) in the UK (Solicitors Regulation Authority May 2020; June 2020), there is a growing need to align curricula with both legal and digital competencies. SQE1 assesses functioning legal knowledge, including dispute resolution, while SQE2 evaluates six practical skills: (1) client interview and attendance note/legal analysis; (2) advocacy; (3) case and matter analysis; (4) legal research; (5) legal writing; and (6) legal drafting. Although digital skills are not formally assessed, they underpin the effective development of these abilities in practice. From a curriculum perspective, this requires the integration of doctrinal knowledge, interdisciplinary content and practical exercises. ODR and DSD workshops respond directly to this need by embedding authentic assessment, requiring students to apply legal knowledge, digital skills and critical thinking to professional tasks rather than merely recalling information. Empirical evidence suggests that such approaches enhance engagement, purpose and the connection between academic study and professional practice (Collins 2022: 2).

In the era of AI, the design of authentic learning is particularly critical, as learners must be guided by instructors to make effective use of generative AI tools (such as ChatGPT, Copilot, or Gemini) to generate prompts, summarize information and provide personalized support through learner-driven AI training, all while maintaining academic rigour, creativity, curiosity and authenticity. Higher education must therefore balance the use of AI technologies with essential human guidance to ensure meaningful and ethical learning (QAA 2024). Graduates are increasingly expected to be familiar with generative AI tools in professional contexts, while also recognizing their limitations and the importance of using them responsibly, especially given that AI outputs can appear credible even when inaccurate (QAA 2023a). Accordingly, assessment design should move away from tasks easily replicated by AI and towards synoptic and authentic assessments that require application of knowledge in real-

world contexts, sometimes incorporating AI in a controlled and reflective manner (QAA 2023b).

Taken together, ODR simulation and DSD workshops cultivate legal, digital and critical-thinking skills while fostering the ability to engage ethically and creatively with emerging technologies, thereby preparing students for professional practice in an increasingly digital and AI-enabled legal landscape. Their shared emphasis on authenticity, applied learning and reflective practice provides a coherent foundation for the systematic design and implementation of authentic assessments, which the following section examines in greater detail through their role, structure and pedagogical value in contemporary legal education.

[D] SHAPING THE LAW CURRICULUM WITH AUTHENTIC ASSESSMENT IN THE AGE OF AI

In legal education, authentic assessment has been widely used to promote students' engagement in various forms since 1969 (Hart & Ors 2011: 105). For example, authentic assessment was embedded within first- and second-year law courses in the formal curriculum, rather than as extra- or co-curricular activities (ECCAs), to enhance student engagement and develop professional skills (ibid: 106-109). Tasks such as court visits, advocacy exercises, oral debates, problem-based legal files and work-based assessments replicated real-world legal practice, requiring students to apply knowledge, problem-solve, communicate and reflect, thereby connecting classroom learning to professional contexts (ibid: 113). It was argued that authentic assessment is most effective when "structured and scaffolded", allowing students to practise tasks, receive guidance or exemplars, and complete progressively complex assessments across courses and developmental stages, supporting both engagement and skill acquisition (ibid: 119).

In a British university, authentic assessment is embedded in the Procurement and Contract Practice module through a year-long email exercise set within a fictional construction project scenario (Silbereis 2020). Students assume the role of a client's contracts advisor and receive four unannounced emails from a fictional client seeking practical advice on emerging project issues (Silbereis 2020: 4). Responses are submitted directly by email, without word limits, formal submission portals, or advance notice, while the scenario is integrated into weekly tutorials, allowing students to build contextual understanding and mirror professional communication, time pressures, and uncertainty (Silbereis 2020: 4-5). Following a successful pilot, the exercise was

formally incorporated into the module specification, contributing 20% of the module grade and serving as a summative, curriculum embedded authentic assessment (Silbereis 2020: 4). This approach develops applied judgement, communication skills and professional readiness for future roles in the construction industry.

In an Australian law school, law reform participation is embedded as a formal, curriculum-based authentic assessment in both compulsory and elective law subjects, where students draft submissions to inquiries or committees on real or simulated law reform issues, such as administrative law (Bedford & Ors 2024: 67). These tasks develop critical thinking, advocacy, interdisciplinary and professional skills by requiring students to analyse current law, identify gaps, propose reforms, and consider ethical, social, and practical implications, while technology assists research, access to law reform materials and the simulation of inquiries resistant to AI-generated answers (ibid 2024: 71). By integrating law reform across the curriculum, legal education simultaneously fosters vocational skill development, broader liberal learning, student engagement, professional readiness, and an understanding of law's potential for social improvement.

Another Australian example comes from the University of Sydney, where first-year Contract Law students complete an authentic drafting assessment as part of the formal curriculum, requiring them to draft or amend contract clauses for a simulated client scenario (McNamara 2017). Unlike the scaffolded, lecture-supported approach described in the previous case, this exercise emphasizes peer review and iterative revision, encouraging collaboration and critical evaluation alongside individual drafting. It is unique in integrating structured feedback and reflective self-assessment, enabling students to identify strengths and weaknesses in their drafting while linking doctrinal knowledge to professional practice. This approach was adopted by providing realistic contract problems, embedding multiple stages of feedback, and including brief reflective tasks to consolidate learning, with the drafting assessment constituting between 10% and 20% of the assessment of the overall course mark (ibid 2017: 487, 491).

Authentic assessment has also been adopted as ECCAs in other educational settings such as in another British university, which allows students to engage in real-world legal tasks, develop critical reasoning and practise professional judgement in a supportive, formative environment (Berger & Wild 2017). By combining ongoing feedback with practical tasks, ECCAs have been shown to enhance academic performance and

help prepare students for the challenges of professional legal practice and improve graduate employability rates (ibid: 428, 437-439).

Both ODR and DSD workshops, embedded in Internet Law and ADR modules, have further exemplified the shaping of authentic assessment within the formal law curriculum. Both ODR and DSD assessments embed reflection exercises, prompting students to critically evaluate their decision-making and performance. These reflective tasks either contribute 15% to the final mark or function as unclassified assessments evaluating originality, authenticity and independent application of skills within the broader module framework. Importantly, these exercises can also operate as optional ECCAs, offering flexibility for skill development when the module focus or student cohort needs require it. By integrating reflective, applied and strategic skills alongside doctrinal learning and authentic drafting assessments, ODR and DSD exercises strengthen professional readiness, independent thinking and engagement, equipping students to navigate both conventional and technology-driven legal practice in an AI-impacted landscape.

[E] CONCLUSION AND REFLECTIONS

ODR simulation workshops immerse students in realistic dispute resolution scenarios where they apply substantive and procedural law, while DSD workshops require students to design, evaluate and enhance dispute resolution systems under time-constrained conditions, integrating ethical, procedural and technological considerations. Both operate as technologically enhanced authentic assessment environments that develop digital legal competencies for the age of AI.

While ODR simulation prioritizes experiential, scenario-based learning to develop practical legal and procedural skills in hybrid settings, DSD adapts these principles for time-constrained or fully distance-learning contexts by guiding students to design, analyse and evaluate dispute resolution systems at a conceptual and system-wide level.

Drawing on experience from ODR simulation (2007/2025) and DSD workshops (2025/2026), both approaches demonstrate that careful pedagogical design enhances engagement, decision-making, contextual understanding, student autonomy and collaborative learning. They are particularly effective for diverse and multicultural cohorts, including students facing language barriers, reinforcing the importance of cultural context in global legal education (Cownie 2025: 93).

Together, ODR simulation and DSD workshops support the development of legal reasoning, digital competence and professional awareness of AI-enabled dispute processes, while encouraging critical reflection on the evolving role of technology in legal practice. Collectively, they provide a coherent pedagogical framework for preparing students for digital lawyering in a rapidly changing legal landscape.

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Legislation, Regulations and Rules

New York Convention on Arbitral Awards 1958

Online Resources

Arbitrator Intelligence Questionnaire, 2015

Caseload Manager

Decider: Online Dispute Resolution Platform

Fireflies

Google Live Transcribe (to capture audio and transcribe them as text on the screen)

LOOM

Microsoft Teams Transcription (Live Captions)