Needs Analysis and Legal English Course Design in Pre-Master of Laws Program: A Case Study in a U.S. University Law School

Xiaoqin Cao, Julie DRISCOL, Ulla Connor[18]

BIODATA

Xiaoqin CAO, M.A. of English Language and Literature, is a lecturer of International Tourism Department, Nanjing Institute of Tourism and Hospitality, Nanjing, China. She was the visiting scholar of Indiana University-Purdue University Indianapolis under the direction of Professor Ulla Connor, focusing on English for Specific Purposes (ESP). Her research interest is ESP and Intercultural Communication. She can be researched at kingki123456@126.com.

Julie DRISCOL is an M.A. TESOL graduate student at Indiana University – Purdue University at Indianapolis (IUPUI) and completed a semester internship in Legal English offered by the EAP faculty at IUPUI under the direction of Ulla Connor, PhD. She can be reached at judrisco@iu.edu.

Ulla CONNOR, Ph.D. is Chancellor's Professor of English, the Barbara E. and Karl R. Zimmer Chair in Intercultural Communication, and Director of the International Center for Intercultural Communication at Indiana University-Purdue University Indianapolis. Her principal research interests include intercultural rhetoric and ESP. Dr. Connor combines theories and methods from both linguistics and rhetoric. She has authored and co-authored 10 books and over 100 articles and book chapters. She can be reached at uconnor@iupui.edu.

ABSTRACT

Legal English courses for international students in pre-LLM (Pre-Master of Laws) programs in the U.S. are important and require careful design to meet the needs of the students. This paper, taking the legal English course design of pre-LL.M. program in a Midwestern university in the U.S. as a case, discusses a theoretically informed, research-based approach to the design of a pre-LL.M. program emphasizing legal English based on a needs analysis. In the paper, a target situation analysis, present situation analysis, and teaching context analysis are carried out to understand the needs of the law school and needs of the students. According to these multifaceted needs analysis, goals and objectives of the course are established and teaching material are developed by following effective guidelines. These materials guide the suggested development of classroom activities in the lesson plan which integrates the SIOP® model. It is hoped that the analysis of pre-LL.M. legal English courses, its subsequent design in a U.S. context, and application of related theories and practice in this paper can be broadly applied in other institutions or ESP course design settings in global contexts.

KEYWORDS

Introduction

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[18] Xiaoqin CAO, lecturer of English language and literature in Nanjing Institute of Tourism and Hospitality. Julie DRISCOL is an M.A. TESOL graduate student at Indiana University – Purdue University at Indianapolis (IUPUI). Ulla CONNOR, Ph.D., is Chancellor's Professor of English at Indiana University-Purdue University Indianapolis.

As the world becomes increasingly globalized, nations become more interconnected and interdependent. English is now the lingua franca in the international realm; therefore, it is necessary for many professions to adapt to transnational realities, and this includes the legal profession. Studying for a Master of Laws (LL.M.) degree in English-speaking countries becomes a choice for many international law professionals. Such a degree helps them remain current in their knowledge and also gain the prestige of having attended a highly regarded university in another country (Edwards, 2011).

An LL.M. is a postgraduate academic degree pursued by those who hold an undergraduate academic law degree, a professional law degree, or an undergraduate degree in a related subject. Currently, there are 172 LL.M. programs in U.S. law schools, with 23 of these schools ranking among the top 100 in the world. Due to U.S. law schools' high reputations, thousands of international students choose to study for an LL.M. degree in one of these institutions each year (Edwards, 2011) as, after graduation, they may have greater opportunities for promotion, opportunities to teach in addition to practicing law, and greater legal and cultural understanding of their international clientele.

All U.S. LL.M. programs adhere to an English language requirement when admitting students. For international students, the requirement is generally judged by a particular score on the standard TOEFL or IELTS (Edwards, 2011). This is quite understandable because of the English-based teaching and communication practices in such law school contexts in addition to the fact that the U.S. legal system is conducted in English. While some LL.M. applicants are professionally excellent and meet all requirements to enter an LL.M. program, they may have a lower English proficiency score than required for admission. Accordingly, some law schools may admit these students on a conditional basis and offer legal English-related courses while subsequently meeting the university's required language proficiency level. This demonstrates the necessity for pre-LL.M. programs to be grounded in research-based curriculums and dedicated to meeting the legal English needs of the students.

Several U.S. universities offer pre-LL.M. training programs where English language skills are taught, especially legal English. This recognition that an emphasis on legal English courses in a pre-LL.M. curriculum is important requires careful design to meet the needs of the students. A great need exists for greater consideration of research-based course design to provide the content required to prepare students for success in the programs. Feak and Reinhart (2002) analyze a program of English for Specific Purposes (ESP) for students of law at the University of Michigan. Beck (2004) analyzes a legal English curriculum for LL.M. students based on a needs analysis approach, however, with the different needs of LL.M. students and pre-LL.M. students, curriculums need to be mindful of the variation. The teaching materials related to legal English in the U.S. also vary and tend to be out of date. Therefore, appropriate research on how to design a pre-LL.M. course along with research-driven material development and teaching activities must be prioritized to meet the globalized needs of international students seeking an LL.M. degree in the U.S.

To meet this need, this paper will discuss a theoretically informed, research-based approach to the design of a pre-LL.M. program emphasizing legal English for a Midwestern university in the U.S. The course discussed below aims to provide opportunities for students to master the key skills of reading, writing, listening, and speaking as they relate to legal English. Specifically, this course will push international students to improve and demonstrate ability and familiarity with oral and written legal terminology, logic, and reasoning, and to demonstrate awareness of the U.S. court system and common law, as Feak and Reinhart (2002) suggest. In this paper, we will first focus on the theory and practice of a needs analysis. We will then explore theories and practice related to formulating goals and objectives, followed by developing teaching materials and designing teaching activities as they relate to lesson planning. By doing this, we present a systematic method for legal English course design for a

pre-LL.M. program, offering direction for future pre-LL.M. programs in the U.S. and global contexts.

2. Needs Analysis

2.1 Necessity and Category of Needs Analysis

The specific needs and goals of a pre-LL.M. legal English course places it in the realm of English for Specific Purposes (ESP), and in most universities, legal English is already a part of the ESP curriculum.The focal university, not having an established legal English course for their international students, recently decided to move forward with the design of such a course within their pre-LL.M. program in order to better prepare students for LL.M. study and ultimate success.

A needs analysis is accepted as a defining characteristic of ESP and as a key process in the development and revision of ESP courses (Basturkmen and Elder, 2004; Dudley-Evans and St. John, 1998; Kim, 2008; Robinson, 1991). Thus, a needs analysis plays a very important role in the design of a legal English course for internationals.

At present, needs analyses in ESP generally include target situation analysis, present situation analysis, learner factor analysis, and teaching context analysis (Basturkmen, 2013). In this paper, the target situation/goal-orientedanalysis
(Brindley, 1989) is adopted to refer to students' study or job requirements, that is, what they have to be able to do at the end of their language course (Yu, 2013). Meanwhile, present situation analysisis used to assess learners' current ability to perform skills, tasks or functions (Basturkmen, 2013). Lastly, teaching context analysis emphasizes the assessment of the teaching context, including how the course will be run and the ESP background of the teachers (Basturkmen, 2013). Results of this triangulated analysis provide a comprehensive knowledge of learners' needs.

2.2 Process of Needs Analysis for a Pre-LL.M. Legal English Course

In order to complete the aforementioned needs analysis categories, course designers should gather information about students' needs and preferences, interpret the information, and then make course design decisions based on these interpretations (Graves, 2004).Gao (2007) states that in order to conduct a reliable needs analysis, "a triangulation of questionnaires, informal discussions with learners and other lecturers, interviews with ex-students and lecturers, and observation of former students' actual work place experiences" (p.98) should be conducted. In this paper, the method of needs analysis consists of interviews, discussions, observations, and collecting as well as classifying materials.

The target situation for pre-LL.M. international students is the LL.M. program; therefore, materials from several key courses of the focal university's LL.M. curriculum were analyzed, including syllabi, textbooks, assignments, and students' writing samples. Interviews were conducted with the LL.M. program coordinator, instructor and students of the academic legal English course and incorporated into notes gathered during observations of the LL.M. academic legal English class. Through the target situation analysis, course designers identified language-related tasks, activities, and skills that the learners should ideally be able to perform in the study situation they wish to enter (Basturkmen, 2013).

Current pre-LL.M. programs in other universities provided a source for conducting a present situation analysis. As such, course designers interviewed a pre-LL.M. program director in another U.S. university. The interview focused on students' English level, learning skills, knowledge of the American legal system, and so on. Based on the above work, course designers were able to identify the level of learners' ability to perform the "language-related tasks,

activities, and skills in relation to the demands of the target situation" (Basturkmen, 2013, p.4211). In addition, although there is no published material or specific course content material about legal English in pre-LL.M. programs, information on programs currently offered by other universities was collected and analyzed[19]. Two of these programs were part of universities whose law schools are of a similar tier as the focal law school. From these programs, the programmatic review of models was formed.

The teaching context analysis in this paper mainly came from an interview with the coordinator of the LL.M. program in the law school of the focal university. In this way, course designers were able to ascertain learner characteristics, and "factors related to the environment in which the ESP course will run and what the course and teacher can realistically offer" (Basturkmen, 2013, p.4211). These factors consist of pre-LL.M course general expectations, American law school academic culture, American legal culture, and so on.

2.3 Findings of Needs Analysis
2.3.1 Needs of the Law School

In this case study, one of the strategic foci of the university is the internationalization of education. Therefore, the university, including the law school, plans to recruit more excellent international students in the years to come. The law school ranks among the top 100 in the U.S., and admission requires international students to earn a composite IBT TOEFL score of at least 81, or a composite IELTS score of at least 6.5. However, students who do not demonstrate the required English proficiency must then seek English instruction elsewhere, and many seek admission to the school in which they received English instruction. Although the university in the case study has an intensive English immersion program to help international students improve their academic language ability, it does not have a professional focus, and the international students with a legal background are not able to network with their potential peers. Therefore, the law school in this case study determined it could better serve their potential international student population by offering a pre-LLM course that would enhance the students' legal English language proficiency in the areas of listening, speaking, reading, and writing, and that would emphasize the development of the language skills necessary for understanding and producing legal academic texts. The course would include a review of the grammar, sentence structure, and style used in legal English, and students would be introduced to the Socratic method in order to prepare them for the discussion and participation skills needed in the LL.M. program.

2.3.2   Needs of Students in a Pre-LL.M. Legal English Course

Results from the target situation analysis determined that the pre-LL.M. students would have to improve in several aspects, mainly related to contextual academic learning and linguistic learning. Students' contextual academic needs consist of the following:
1) an understanding of the teaching style in LL.M. and other legal classes, especially the Socratic method, and the expectation for participatory roles;
2) an ability to formulate questions in order to gain the instruction and understanding

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- [19]Georgia State University: http://iep.gsu.edu/pre-llm-summer/
- Washington University: https://law.wustl.edu/llm2year/
- Georgetown University: http://apps.law.georgetown.edu/curriculum/tab_courses.cfm?Status=Course&Detail=1663
- Penn State: https://pennstatelaw.psu.edu/academics/two-year-llm-programcertificate
- Boston University (although not a public website): https://www.bu.edu/law/admissions/admitted-students/llm-students/pre-llm-english-programs/
- University of Michigan: https://lsa.umich.edu/eli/summer-programs/english-for-legal-studies.html
- Vanderbilt University:http://www.vanderbilt.edu/elc/programs/discipline-specific/law/

needed, and to independently seek out additional materials that will augment learning;

3) an understanding of the culture in the social and educational communities constructed for legal students;
4) a familiarity with the American legal system; and,
5) exposure to a large variety of texts and materials as content carriers for legal English.

Students' linguistic needs include:

1) strategies including skimming, scanning, summarizing, and using linguistic cues related to specific vocabulary, word order, text construction, and so on;
2) ability to use reading strategies to comprehend, synthesize, organize, and relate the large amounts of information in long legal texts;
3) strategies to recognize legal English vocabulary, including the ability to identify Greek and Latin derivatives;
4) an ability to use critical thinking skills to formulate a response to a legal English text;
5) strategies for reading and formulating academic sentence structures that accurately incorporate legal English vocabulary;
6) an ability to recognize figurative language used in legal English discourse and predict meaning based on context;
7) an ability to identify key information, the logical relationship of the key information, and textual organizations;
8) an ability to participate in group discussion, express and justify opinions, and provide clear responses to others' presentations; and,
9) an ability to formally present a topic with clear ideas and information in law school contexts.

3. Goals and Objectives of Pre-LL.M. Legal English Course
3.1 Overall Goals and Curriculum Structure Design

Brown and Lee (2015) point out that "[m]ost curriculum experts agree that once a situation analysis and needs analysis have confirmed some of the general parameters of a course, goals need to be carefully stated in order to be certain about what the course will accomplish and what it will not" (p.187). Based on the needs analysis and course content knowledge, the overall goals of the legal English course for international students in the focal university were established. The students' needs fell into contextual academic and linguistic aspects; accordingly, the goals of the course followed these two aspects. The goals of a legal English course should present the "main purposes and intended outcomes" (Graves, 2000, p.75), which, in this case, focus on the contextual academic and legal English linguistic features that will empower students to enter the LL.M. program with the skills and abilities necessary for success. The academic and linguistic goals are listed below.

For contextual academic goals, students would demonstrate:

1) awareness of classroom expectations, including class participation and exam protocols;
2) familiarity with the U.S. court system and understanding of common law and precedent;
3) familiarity with roles, preparation, and expectations when taking part in academic dialogues; and,
4) time management and prioritization skills.

For the linguistic goals, students would be able to achieve:

1) familiarity and understanding of legal terminology;
2) familiarity with the construction of legal discourse and its markers;
3) familiarity with legal documents and their organization; and,
4) expanded communicative ability in social, professional, and academic situations

To facilitate learning and to align materials with the goals, a16-week course was organized into four modules based on the previously discussed skills and abilities needed for the pre-LL.M. course. The four modules include:

- Module 1:   Introduction to Legal English (weeks 1-4)
- Module 2:   U.S. Legal English: Analyzing a Case Study& a Recorded Court Case (weeks 5-10)
- Module 3:   Taking Part in Legal Discourse (weeks 11-14)
- Module 4:   Comparing & Contrasting: A Tale of Two Legal Systems (weeks 15-16)

3.2 Specific Course Goals and Objectives: Module 1

Goals are usually general and relatively simple in describing what the course will explicitly address, of which the realization relies on specific objectives of each module and each class session. For each module, the goals related both to linguistic aspects (including reading, writing, listening, and speaking), as well as contextual academic learning aspects. However, "objectives are statements about how the goals will be achieved. Through objectives, a goal is broken down into learnable and teachable units. By achieving the objectives, the goals will be reached" (Graves, 2000, p.76). It is obvious that objectives have a cause-effect relationship with the goals, focusing on more quantifiable aspects of what students will learn. Therefore, for each module, the objectives were specified by course designers to achieve the goals. For the purposes of this paper, Module 1 (weeks 1-4) is used as an example to present the specific goals and objectives.

Module 1: Introduction to Legal English (weeks1- 4):

1) Reading Goal: Become familiar with the structure and function of legal documents used in the U.S. legal system.
   - Objective: Recognize common legal documents by their structure
   - Objective: Be familiar with the function of common legal documents and the type of information each contains
   - Objective: Recognize and understand common legal English terms
   - Objective: Recognize and understand use of modals in legal English
   - Objective: Recognize and understand active versus passive voice
2)   Writing Goal: Become familiar with legal document grammar and punctuation.
   - Objective: Recognize and understand verb tenses and forms used in legal English
   - Objective: Recognize and understand pronoun reference in legal English
   - Objective: Recognize and understand adjectives and adverbs used in legal English
   - Objective: Recognize and understand noun phrases and uncountable nouns used in legal English
3) Listening Goal: Develop an ability to translate oral technical language of legal documents into "plain English"
   - Objective: Recognition and analysis of word stress for legal terminology
   - Objective: Familiarity with legal terminology as a spoken discourse
4)   Speaking Goal: Understand the role of presenting in the U.S. legal education system
   - Objective: Understand group participation
   - Objective: Understand speaking goals for various audiences
5)   Context Goal: Be familiar with the U.S. legal system and the U.S. graduate law school class format and expectations

- Objective: Understand common law versus civil law, and state and federal
          court systems
- Objective: Understand how to perform the role of a good U.S. law student

   As will be noted, goals and objectives of this legal English course become the direction for teaching material development and teaching activity design.

4. Teaching Materials Development for Pre-LL.M. Legal English Course

   Material is a significant carrier to realize the goals and objectives, finally meeting students' needs. "The role of materials in the language classroom is essential; it is hard to conceive how a language class could be taught without materials" (Upton, 2013, p.3597), as materials provide most of the input that learners receive in the classroom (Hyland, 2006). Playing a key role in the process of material development, course designers or materials provider should be able to select appropriately from what is available, while also modifying and supplementing activities with new materials to suit learners' needs (Dudley-Evans and St. John, 1998). Because such modifications and supplementary materials should match carrier content with real content and provide variety, course designers need to create, choose, adapt and organize the materials and activities so that students can achieve the objectives that will help them reach the course goal.

4.1 Material Development Guidelines for Pre-LL.M. Course Designers

   The current study suggests several guidelines for material development within the focal pre-LL.M. legal English course. First, materials should be developed from what already exists, because our research revealed a substantial amount of legal English material already available. Meanwhile, it is necessary to reflect on the needs analysis findings, along with course goals and objectives, in order to develop the most effective material for a pre-LL.M. legal English course. Upton (2013) concurrently points out that the primary distinctive feature of an ESP course is that the content taught in the course and the teaching approach used are based on the specific needs of the learners of the particular context in which they are learning.

   What's more, the linguistic features of legal English have a great impact on course design, because ESP is related in content (that is, its themes and topics) to particular disciplines, occupations, and activities. In addition, it is important for course designers to select authentic materials which match the carrier content with real content (Harwood, 2010). Carrier content refers to the disciplinary related knowledge, while real content is the language skills related to disciplinary genre, including terminology, grammar, organization, and so on (Dudley-Evans and St. John, 1998). As for authenticity, "students studying legal English should be reading actual law briefs and other legal texts" (Upton, 2013, p. 3601). Authentic carrier content forms the topics which can be used as a vehicle for the real content. As far as the pre-LL.M. legal English course is concerned, carrier content of the teaching materials should be legal texts related to the U.S. legal system, U.S. legal culture, U.S. academic culture in law schools, and cases. On the other hand, real content of the teaching materials should focus on reading, writing, listening and speaking, including structure, markers of organization and logic relation, terminology, grammar, and so on.

4.2 Textbooks and Other Resources for Pre-LL.M. Legal English Course

   Taking into account the guidelines above, a good first step towards compiling resources is to select a textbook. Textbooks provide a reference for course topics, provide a set of visuals, offer activities as well as readings, and save the course instructor time in finding and developing new materials (Graves, 2000). After an initial review several potential textbooks were selected in the university library and online. Of course, there were too many textbooks for a 16-week intensive pre-LL.M. legal English course, so these selected books were

narrowed down further by focusing on carrier content and language level. Since the current LL.M. students in an academic legal English course were the target situation for the pre-LL.M. international students, textbooks for LL.M. students were also reviewed. With the awareness that textbooks for pre-LL.M. international students should be easier in real content than those of the LL.M. program but still similar in carrier content, the course designers found the following three textbooks appropriate.

- *Introduction to legal English: an introduction to legal terminology, reasoning, and writing for lawyers, law students, and business professionals who speak English as a second language* (3rd ed.2009) by Mark E. Wojcik.This text mainly focuses on legal terminology, law school introduction, civil procedure, briefing cases, and public speaking.
- *Legal English* (2015) by Rupert Haigh.This text is related to the grammar,punctuation, sentence structure, terminology, and other linguistic peculiarities of legal writing.
- *An Introduction to the United States legal system: Cases and comments* (2006) by Alberto Benitez.This text is organized around legal culture in the United States, how to briefand read a case, common law, civil procedure, torts, and so on. This textbook offersexcellent carrier content and gave course designers inspiration in organizing the four modules for the 16-week course.

The course designers selected portions of all three of the textbooks listed above in order to meet the diverse needs of the learners in the class. For example, *Legal English* (2015) by Rupert Haigh provides great content related to the grammar of legal English, but it does not contain anything about cases or American academic culture in law schools.

Textbooks are not the only source of teaching material for a pre-LL.M. legal English course. Tomlinson (1998) defines learning material as "anything which is used by teachers or learners to facilitate the learning as a language" (p.2). Moreover, drawing material from a variety of sources allowed the course designers to keep each lesson as close as possible to what the learners would need, as discussed in the compilation of goals and objectives (Graves, 2000). In addition to textbooks, current legal-related documents were selected. Moreover, movies, listening materials, and videos were selected and organized as course materials so that students had multi-modal input to improve their linguistic abilities related to reading, writing, listening, and speaking. With the belief that students should be exposed to authentic material appropriate for their language level, the following materials were selected:

Videos
- Legal Writing Institute webinar and video resources at http://www.law.msu.edu/glws/
- List of movies relating to legal English from *Reel Justice* based on class taught by UCLA
- Videos of arguments in Indiana courtshttp://mycourts.in.gov/arguments/

Activities
- *Apples to Apples* game: https://www.amazon.com/Apples-Party-Box-Combinations-Discontinued/dp/B00112CHCK

Listening
- Amicus podcast series

5. Classroom Activities with Lesson Plan Example
5.1 Principles Related to Classroom Activities and Lesson Planning in an ESP Course

Realization of course goals by using appropriate teaching materials is always closely related to the classroom activities in the course lessons. Brown and Lee (2015) point out that most courses are presented in a number of units of varying lengths, whose focus is defined by the unit's goals and ultimately contribute to the overall goals. Such units commonly consist of a series of lessons: the building blocks of units and courses, time-defined, in-class sets of

activities to accomplish one or more specific objectives. Therefore, goal-focused lesson activities help realize course goals and objectives. In addition, it is necessary for course designers or instructors for classroom activities in an ESP course to include more specialized carrier content. They should keep the balance between content level and language level and to see the real content (Dudley-Evans, 1998). Consequently, for classroom activities in this focal university's pre-LL.M. legal English course, authentic legal texts as the content were used and learning via referential questioning was encouraged, which was somewhat similar to the Socratic method in law discipline.

Meanwhile, it is important to establish a framework, which consists of a number of guiding and foundational factors. These factors are the basic principles of L2 learning; the methodological, cultural, as well as sociopolitical context of the classroom; institutional constraints, requirements as well as standards; stages before and after a lesson; the particular focus and objectives for the lesson; student uniqueness, and so on (Purgason, 2014). The outlining of these factors is lesson planning. As Purgason (2014) notes "Lesson planning is the process of taking everything we know about teaching and learning along with everything we know about the students in front of us, and putting it together to create a road map for what a class period will look like" (p.362).

5.2 Lesson Plan Example for Pre-LL.M. Legal English Course

The lesson plan for the course in this case study needed a model that fully supported specialized content in legal English instruction, while also utilizing proven methods of language teaching that would incorporate reading, writing, speaking, and listening. Such a model exists in the Sheltered Instruction Observation Protocol (SIOP®) model. The SIOP® model is a research-based and validated instructional model that has proven effective in addressing the academic needs of English learners throughout the U.S. It consists of eight interrelated components, including lesson preparation; building background; comprehensible input; strategies; interaction; practice and application; lesson delivery; and review as well as assessment (Echevarria, 2017).

Based on the outline and guidelines of the SIOP® model, the lesson plan for the first class of the fourth week pre-LL.M. legal English course is included in the appendix. Class content includes texts about an American-Mexican border event related to law. The teacher will initiate a discussion on border conflicts in students' home countries to help students build background knowledge. During vocabulary building exercises, new terminology will reference back to students' discussions where possible. Then, students will have opportunities for interaction via small group discussions and presentations and perceptual mismatches will be corrected through guided discussions. Each group will discuss frequent words, new words, and meaning of specific sections via a prepared set of questions while also discussing the content of each of their sections and present a summary to the class from notes taken during discussion, along with new vocabulary gained through their reading. The assurance of comprehensible input is provided through vocabulary building exercises, comprehension checks using both display and referential questioning patterns, and opportunities for providing written and oral summaries of materials. The lesson plan offers a comprehensive outline of class goals and objectives, teaching methodologies, approaches, activities, and procedures.

6. Conclusion

In this paper, several core issues of pre-LL.M. legal English course design were analyzed, and relevant theories were reviewed and applied in practice. The course will be carried out in a following semester for pre-LL.M. international students with the goal of improving students' legal English language, academic, and contextual learning skills.

     The legal English course design in this paper proves the significance of a rigorous and thorough needs analysis for an ESP course. A needs analysis should be the initial step of course design and should be carried out based on a clear understanding of language needs analysis theories. One example of the importance of this is related to teaching context analysis. Prior to the interviews, course designers though the ability to practice with legal citation would be a course goal. After interviews with the LL.M. coordinator of the focal university, it was found that practice with legal citation would be covered in a special course and it would not benefit the students to incorporate this into the pre-LL.M. legal English course materials. Recognizing this, the course designers went back to the needs analysis, focusing on teaching context and target situation analysis results, reviewing their findings to ensure a more comprehensive foundation for the course design, and constructing more pedagogically sound course goals and objectives. These, in turn, assisted the course designers in developing four modules for the 16-week course along with authentic and effective teaching materials.

     Development of teaching materials within this case study is completely needs-based and content-based, and is fully integrates carrier content with real content. Furthermore, classroom activities under the SIOP® model fully support the instruction of legal discipline-specific content, while utilizing proven methods of language teaching that incorporate reading, writing, speaking, and listening. Successful implementation of the carefully designed activities would then help course instructors realize the course goals and meet the students' needs. In summary, analysis of this pre-LL.M. legal English course design in a U.S. context can be broadly applied in other institutions offering pre-LL.M. legal English instruction. Moreover, the related theories and practice could be used in other legal English or ESP course design settings in global contexts where English is used as either a native language or additional language.

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APPENDIX
Adapted SIOP® LESSON PLAN

Grade/Class/Subject: Pre LL.M. legal English class during week 4 (Monday)
Unit/Theme: Introduction to Legal English/Content carrier in international law and border control

Content (or Topic) Objective(s): Students will:
1. Gain a broader understanding of how border conflicts impact other cultures across the globe, including potential connections to homeland
2. Gain a broader understanding of the rationale behind current US and Mexican border conflicts and the resulting legal implications / actions
3.

Language Objective(s): Students will:
(language use)
1. Incorporate previously studied legal terminology and key vocabulary learned this week into their discussion and writing assignments
2. Understand new academic and new English terminology from a printed news source
3. Use meta-lingual terms to describe legal English discourse, its markers and their writing appropriately
4. Determine the meaning of words and phrases as they are used in the texts, and analyze the impact of specific word choice on meaning
(language structure)
5. Recognize and understand use of modals in legal English
6.

Strategy Objective(s): Students will:
1. Gain a better understanding of pre-reading and reading strategies required in order to understand and synthesize multiple texts
2. Gain a better understanding of listening strategies that assist in understanding oral legal presentations
3.

Materials for Lesson Plan (Including Adapted and Supplementary Materials):
The carrier content for the legal English vocabulary will be authentic materials (podcast from Senior Counsel on the House Committee and actual cases) and an article from the *Washington Post*. Students would have been presented with the link to the article and the podcast listed below on the previous Friday to provide them an opportunity for developing listening and reading familiarity. This will also allow them to develop questions ahead of classroom discussion.
Written text:
Barnes, Robert. (February 19, 2017) Supreme Court considers case of a shot fired in U.S. that killed a teenager in Mexico.*Washington Post*. Retrieved from: https://www.washingtonpost.com/politics/courts_law/supreme-court-considers-case-of-a-shot-fired-in-us-that-killed-a-teenager-in-mexico/2017/02/19/c2935c36-f548-11e6-8d72-263470bf0401_story.html?utm_term=.07da172589bb
Written transcript from podcast
Oral text:
Giaier, Steven. (March 8, 2017) Courthouse Steps: Hernandez v. Mesa – Podcast. International & National Security Law Podcast.The Federalist Society for Law & Public Policy Studies. Retrieved from: http://www.fed-soc.org/multimedia/detail/courthouse-steps-hernandez-v-mesa-podcast
Handouts in class:

- Haigh, R. (2015) *Legal English*. London, UK: Routledge (pages 22-24) Adjectives and Adverbs
- Enquist, A. and Oates, L.C. (3rd ed. 2009) *Just writing: Grammar, punctuation, and style for the legal writer*. New York, NY: Aspen Publishers (p. 268-274) Auxiliary verbs and modals

Legal English Vocabulary for Hernandez v. US Homeland Security

Building Background (links to individual experience, links to previous learning, key vocabulary, potential "perceptual mismatches" addressed)

Background knowledge for students will be activated by opening the class with a discussion on border control in their home countries and noting vocabulary used. During vocabulary building exercises new terminology will reference back to students' discussions where possible. Perceptual mismatches will be corrected through guided discussions on the chosen article and podcast, as well as comprehension checks throughout the week.

Presentation and Practice (comprehensible input, negotiated interaction, meaningful activities, practice/application, feedback):

Students will have opportunities for negotiated interaction via small group discussions and presentations. The assurance of comprehensible input will be provided through vocabulary building exercises, comprehension checks using both display and referential questioning patterns, and opportunities for providing written and oral summaries of materials. Activities in this unit are meaningful as the carrier content for legal English is a topic that is applicable to any country and will foreshadow the topic of the Law School seminar that students will attend at the end of the week. Activities will also be constructed to include multi-modal input in order to accommodate students' different learning strategies. Formative feedback will be provided during each activity and students will have the opportunity to measure their own learning via results from the same test administered prior to and at the end of the unit.

The following table is used to Check all that apply across whole lesson:

Scaffolding:	X Modeling	X Guided	☐Independent	
Grouping:	X Whole class	X Small group	X Partners	X Independent
Language:	X Reading	X Writing	X Listening	X Speaking
	X Integrated	X Structure (X Inductive-discovery ☐Deductive-application)		☐Communicative
Strategies:	XMetacognitive	☐ Cognitive	☐ Social/ Affective	
Questions:	X Display (known answer)	X Referential (open-ended responses)		
Teacher:	☐ Director	X Facilitator	☐ Resource	
Thinking:	X Remember	X Understand	X Apply	☐ Analyze/ Evaluate
	☐ Create			
Activity:	X Controlled	☐ Semi-control	☐ Free	☐ Hands-on
	X Context-embedded		XStudent engagement	
	X Links to objectives		X Meaningful	

Key Vocabulary: See Detailed Lesson Content and Plan below.

Questions to Promote Higher Order Thinking
For the article retrieved from the *Washington Post*, the course designers would provide 37 questions, both display and referential. These were designed to promote understanding, provide comprehension checks for clarification, assist students in identifying complex noun phrases, understand negative vs positive connotation; use meaning making strategies, and recognize the difference between facts, descriptions, arguments, opinions, cause and effect and implied meaning. In addition, the referential questions will assist students in synthesizing the material that they have read.

Detailed Lesson Content and Plan:

TIME	GROUP	ACTIVITY	VOCABULARY, MATERIALS
8:30 am	Class	Discuss border conflicts in home country to build background knowledge	Vocabulary: Incorporation of previously learned legal vocabulary
8:40 am	Class	Discuss current situation between US and Mexico and provide overview of lesson plan for the week / day	Vocabulary: Incorporation of previously learned legal vocabulary Materials: Hand out hard copies of article and also pages from Enquist.
8:45 am	Class	1. Students will complete a brief matching exercise that allows them to match words and definitions, as well as sentences with modals and the level of commitment to allow students the opportunity to predict: • the meaning of legal vocabulary based on prior discussion of Greek and Latin derivatives • which sentence is more likely to happen / the level of obligation implied, based on the modal form used 2. Discuss use of modals in article, and in legal English	Legal vocabulary: arbitrary, dissent, extradite, grant of certiorari; immunity, impunity, indict, per curiam opinion, precedent, right, statutory English Vocabulary - Modals: can, should, would, could, shall, must, will Materials: Refer to handout on modals.
9:05 am	Class	• Discuss text and reading strategies such as focusing on headings/subheadings, topic sentences and the use of input enhancement via highlighting.	Materials: Copy of Barnes article
9:10 am	Class	• Instructor will model how to do this by having the entire class read,	Legal Vocabulary: Incorporation of new

		discuss new vocabulary and summarize the first paragraph as a group. This will also provide opportunities for each class member to read aloud a small segment from the article and work on pronunciation • As an example of vocabulary discussion, instructor will facilitate a discussion to define a "right" and the various types of "rights" in the U.S.	terminology listed above as appropriate Materials: Copy of Barnes article and handout on legal vocabulary
9:20 am	Small groups (defined by instructor)	• Students will be divided into small groups and assigned a small portion of the text. Each group will discuss frequent words, new words and meaning of a specific section via a prepared set of questions. Students will discuss the content of each of their sections and present a summary to the class from notes taken during discussion, along with new vocabulary gained through their reading.	Legal Vocabulary: Incorporation of new terminology listed above as appropriate Materials: Copy of Barnes article; specific questions prepared to assist students in finding the main points of their section
9:40 am	Class	• Discuss homework and listening strategies. • Review appeal and emphasize vocabulary that will also be used on podcast	Materials: Refer to podcast and hand out excerpts from actual appeal
9:45 – 9:50 am	Class	• Ask students to write one thing they learned from class and one question they would like answered on an index card and turn it in as exit card (e.g. vocabulary term; strategy; language skill; understanding of legal ramifications for border conflicts, etc.)	Materials: Index cards

Review
Check all that apply across whole lesson:
X Individual   X Group   X Written   X Oral
Teacher Reflection – Is the lesson
☐ Intrinsically motivating   X Learner centered   X Content/Theme-based   ☐Meaningful
☐ Age appropriate
☐Affectively "safe" X Proficiency-level appropriate   X Linked to student backgroundX
Linked to past learning