

NEEDS ANALYSIS AND ENGLISH FOR LEGAL PURPOSES COURSE DEVELOPMENT: A CASE STUDY ON AN ELP SYLLABUS DESIGN FOR UNIVERSITY STUDENTS

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ABSTRACT. *Needs analysis and English for Legal Purposes Course Development: A Case Study on an ELP Syllabus Design for University Students.*

The present paper investigates the connection between students' learning needs as reflected in the initial needs analysis and ELP syllabus design. Initiated at the beginning of the academic year the study investigates solutions to bridge the gap between the linguistic and professional needs of students attending legal English classes and their course syllabus. A typical challenge for the students' instructor is the fact that they have little, typically no prior experience with the profession for which they hope to qualify during their studies. The fact that compulsory language courses are often placed in the students' first year of bachelor study programmes makes the intention to offer relevant course content even more difficult. The structure of the article is the following: first is given a scope for the study, then needs analysis is presented in relation to teaching ESP for the general public and university students; finally, the findings are interpreted in the context of changes in teaching strategies and course design. The article concludes by pointing out that taking into consideration students' expectations and needs is strongly correlated with the quality and the relevance of the course.

Keywords: *ESP, ELP, language teaching and learning, needs analysis, course design, professional needs, law students, higher education.*

REZUMAT. *O analiză a corelării nevoilor de învățare cu conținutul cursului: studiu de caz-elaborarea unui syllabus de limbaj juridic în limba engleză pentru studenți.* Articolul de față analizează legătura dintre nevoile de învățare ale studenților așa cum sunt ele reflectate în analiza de nevoi inițială

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și crearea unui syllabus de curs pentru limbaj juridic. Început la debutul anului universitar, studiul investighează soluții pentru micșorarea decalajului dintre nevoile lingvistice și profesionale ale studenților care participă la cursul de limbaj juridic de specialitate și syllabusul de curs. Una din încercările la care e supus profesorul într-o asemenea situație este faptul că, în general, studenții primului an au o părere foarte vagă despre cunoștințele pe care ar trebui să le posede în limbajul de specialitate referitor la profesia pe care o vor îmbrățișa. Structura articolului este următoarea: se prezintă scopul studiului, apoi se discută relația dintre analiza nevoilor de învățare și predarea limbajelor de specialitate publicului larg și studenților; în cele din urmă sunt interpretate rezultatele în contextul schimbărilor pe care acestea le aduc în ceea ce privește strategia de predare și conceperea cursului. Concluzia articolului este că luarea în considerare a dezideratelor și nevoilor studenților este în strânsă legătură cu calitatea și relevanța cursului.

Cuvinte-cheie: *ESP, ELP, predarea și învățarea limbilor străine, analiza nevoilor de învățare, creare de curs, nevoi profesionale, studenți la Drept, educație universitară.*

Introduction

Over the past decades the growing interest and demand for study programs in general English has only been surpassed by the increasing need for courses in English for Specific Purposes. The aim of ESP courses is to teach the language and communication skills that specific groups of language learners need or will need to function effectively in their disciplines of study, professions or workplaces (Basturkmen 2010, 17). Usually this type of courses is directed towards groups of adults who are interested in the aspects previously mentioned and have a strong motivation to achieve their goal. However, it has to be mentioned a second kind of situation when ESP courses address a different target group. What I have in mind is the community of undergraduate students who have to attend ESP classes in their first year of university studies. This trend is a result of the European Union language policy according to which “foreign language competence is regarded as one of the basic skills that all EU citizens need to acquire in order to improve their educational and employment opportunities”.² This demand was put into practice in universities throughout the EU and its implementation raises a series of challenges for the ESP practitioner.

One main challenge stems from the fact that the context created by the EU language policy is different from the classical ESP setting in what concerns learners’ motivation, pursue of aims and expectations from the course. Pre service

² www.europarl.europa.eu/portal/en

undergraduates in the first year of their academic studies are barely aware of their professional goals, fact that might diminish the traditional central role that needs analysis plays in an ESP environment. Or, it is not the existence of a need as such but rather an *awareness* of the need that distinguishes ESP from General English (Hutchinson and Waters 1987, 54). Moreover, freshmen usually lack professional background knowledge which is essential for providing the carrier content as a context for teaching real content. For those reasons some authors consider that “relying on students’ self-perceived needs to help the instructor design relevant courses may thus have only a limited value” (Chovancova 2014, 49).

The previously mentioned aspect is in fact the starting point for the current study which tries to clarify the following research problem: can needs analysis be used as a reliable instrument in university settings where students presumably lack awareness of their specialized language learning needs?

The aim of the study is to contribute to the existing discussions on the topic with a point of view based on researching a relevant local law student population. The case study focuses on the specific situation at the Faculty of Law, Babes-Bolyai University in Cluj-Napoca. According to the University’s Language policy, students undertaking legal studies have to attend English for Legal Purposes classes in order to be able to conduct research in their specialized area and communicate with international members of the same professional community.³

However, the document doesn’t specify a clear statement of principles that could stay at the foundation of all ESP courses. It could only be inferred from the list of objectives that students’ communicative needs should determine the structure and the content of the course. Therefore it is the ESP practitioner’s task to design an efficient course syllabus and to establish achievable aims.

Literature review

Firstly this section presents relevant opinions on the role that needs analysis plays in ESP. Secondly it will focus on the importance that taking into consideration students’ needs plays in the success of a specialized language course.

From the early stages of introducing the notion of learner centred teaching needs analysis was seen as a cornerstone of any course based on that methodology. Nunan (2015, 26), quoting researches from the field of adult learning, asserts that adults learn best when they are involved in developing learning objectives for themselves that are congruent with their current and idealized self-concept. Besides, they also learn best when the content is personally relevant to past experience or present concerns and when the learning process is relevant to life experiences. The same opinion is shared by Dudley-Evans and St John who explain the reasons for performing this stage:

³ <https://senat.ubbcluj.ro/wp-content/uploads/2013/10/Politica-lingvistica-UBB.pdf>

"[...] needs analysis is the corner stone of ESP and leads to a much focused course (Dudley-Evans and St John 2012, 122). The aim is to know learners as people, as language users and as language learners; to know how language learning and skills learning can be maximised for a given learner group; and finally to know the target situations and learning environment such that we can interpret the data appropriately" (Dudley-Evans and St John 2012, 126). Discussing the outcome of the needs analysis, Nunan states:

"In considering needs and goals, we should keep in mind that the teacher's syllabus and the learner's syllabus or 'agenda' might differ. One of the purposes of subjective needs analysis is to involve learners and teachers in exchanging information so that the agendas of the teacher and the learner may be more closely aligned. This can happen in two ways. In the first place, information provided by learners can be used to guide the selection of content and learning activities. Secondly, by providing learners with detailed information about goals, objectives, and learning activities, learners may come to have a greater appreciation and acceptance of the learning experience they are undertaking or about to undertake. It may be that learners have different goals from those of the teacher simply because they have not been informed in any meaningful way what the teacher's goals are." (Nunan 1988, 80)

More recently, Helen Basturkmen joined the group of authors that agree on the importance of incorporating needs analysis in the course design:

"Needs analysis should be incorporated in the course design as it represents one important source for choosing content, teaching style and materials. Needs analysis in ESP refers to a course development process. In this process the language and skills that the learner will use in their target professional or vocational workplace or in their study areas are identified and considered in relation to the present state of knowledge of the learners, their perceptions of their needs and the practical possibilities and constraints of the teaching context. The information obtained from this process is used in determining and refining the content and method of the ESP course." (Basturkmen 2010, 19)

The idea of taking into consideration learner's needs in order to promote learning is linked to the efficiency of the course:

"Each situation must be judged according to the particular circumstances. What is important is that the ESP course designer or teacher is aware of such differences and takes account of them in materials and methodology. There is little point in taking an ESP approach, which is based on the principle of learner involvement and then ignoring the learners' wishes and views." (Hutchinson and Waters 1987, 58)

In what concerns the relevance of the language program for students, the opinion is that “students’ intrinsic motivation is linked to a basic strategy that takes into consideration present needs and incorporates them in the language course tailored to run in tandem with the student’s academic program” (Wilson 1986, 9).

Research Methodology

The current study is a quantitative research based on the hypothetic-deductive method. The research questions posed were:

- Does needs analysis offer sufficient and reliable data to the course instructor who intends to design an ELP course?
- Does the course designed by taking into consideration students’ responses motivate them to participate to classes?

As the research was limited to a period of four weeks the use of questionnaires (a widely accredited tool in the social sciences) as the main instrument seemed the most convenient choice in terms of data collection. Taking into consideration the number of participants, interviewing was not a practical option. The results were introduced in an Excel computer program that provided accurate percentages.

There were 88 participants in the focus group as follows:

Table 1. Questionnaire participants, their academic affiliation and gender

Faculty	Total number of students	Females	Males
Law	88	62	26

There were three components taken into consideration in the needs analysis: learner factor analysis, present situation analysis and target situation analysis.

Table 2. The structure of the needs analysis questionnaire

1. Learner factor analysis Identification of learners factors such as their motivation, how they learn and their perception of their needs (Dudley-Evans and St John 1998)	<ul style="list-style-type: none"> • On a scale of 1 to 5, how much do you like studying English? • On a scale of 1 to 4, how useful were the following strategies for learning English in your opinion? • What is the most important thing for you in the learning process? (Circle 1 answer) • What type(s) of lesson draws your attention and stirs up your curiosity most? (Circle 2 answers)
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<p>2. Present situation analysis Identification of what the learners do and do not know in relation to the demands of the target situation. (Dudley-Evans and St John 1998)</p>	<ul style="list-style-type: none"> • Circle the number that best indicates your language ability in English • On a scale of 1 to 5, how would you rate your general knowledge on Law topics? (1 – very poor; 2 – poor; 3 – satisfactory; 4 – good; 5 – excellent). Circle one option. • results from the placement test
<p>3. Target situation analysis Identification of tasks, activities and skills learners will be using English for (Dudley-Evans and St John 1998)</p>	<ul style="list-style-type: none"> • What are your aims for studying ELP? Please tick at least one option.

The procedure applied in the study was the following: in their first week of academic studies the students took a placement test meant to ascertain their level of language knowledge. The minimum level accepted in order to enroll in the course was B1 according to the Common European Framework of Reference for Languages. In the second week they were asked to fill in the needs analysis questionnaire in order to help the course instructor to identify those factors that could influence learning. Taking into consideration the information provided by the two sources (placement test and needs analysis) the course teacher designed a 32-week course syllabus.

Table 3. Sample from the ELP course syllabus

Week	Topics	Skills	Teaching techniques	Materials
Unit 1 Week 1,2	The Common Law and Civil Law Tradition	Reading: for gist and specific information Speaking: describe and compare the two legal systems	Solo work Pair work	Course book texts
Unit 2 Week 3,4	Common Law, Case Law and Statutes	Reading: for gist and scanning Writing: explaining what a law says Speaking: debating a statute (pro and cons)	Solo work Pair work Debate	Course book texts Authentic texts: Internet link www.parliament.uk
Unit 3 Week 5,6	Documents in Court, Use of Legal Latin	Reading: for gist and scanning Listening: types of documents Speaking: Describing documents	Solo work Pair work Note-taking Information gap activities	Course book texts Authentic texts: samples of different documents

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Week	Topics	Skills	Teaching techniques	Materials
Unit 4 Week 7,8	People in Court, Courts of Justice in the UK and the USA	Reading: for gist Listening: types of courts Speaking: presentation of the court system in England and Wales followed by group discussions	Solo work Group work Presentation	Course book texts Internet link www.supremecourt.uk

After studying the first two units (four weeks), students were given a feedback questionnaire with the aim of measuring their satisfaction from the course. They had to answer the following questions:

- Would you attend ELP classes if the presence weren't mandatory?
- If you could change something in your ELP course, what would you modify?

Results and discussion

The first research question that this study attempts to answer is: Does needs analysis offer sufficient and reliable data to the course instructor who intends to design an ELP course? The needs analysis questionnaire was designed in such a way as to gather information about three areas: learning strategies, present situation and target situation. The interpretation of results revealed the following:

a) Learning strategies (learner factor analysis)

- *How much do you like studying English (on a scale of 1 to 5 where 1 is not at all; 2 is I like it a little; 3 is I don't mind it; 4 is I like it very much and 5 is I love it).* At this item 53% of those interviewed reported to love it, 29% to like it very much and 16% don't mind it. Overall, 82% of the respondents have a strong intrinsic motivation to study English.
- *On a scale of 1 to 4, how useful were the following teaching strategies for learning English in your opinion? (1 – not useful at all; 2 – a little useful; 3 – useful; 4 – extremely useful).* Most students agree that pair work and group work were useful (50%), followed by projects (48% useful) and role-plays (36%). The situation changes with problem solving activities (rated as extremely useful by 31% of the students and useful by 49% of them). When the teaching strategies focus on language skills development, the situation is the following: among speaking activities

discussions and debates are at the top (considered extremely useful by 74% and useful by 18%), among writing activities the favorite ones are research papers (53% see them useful), essay assignments (useful for 40%), note-taking (useful 38%) and writing letters (useful 37%). Reading activities were seen as extremely useful by 50% of the students and listening ones as extremely useful by 48%. The interpretation of the figures gives the course teacher relevant information on what kind of activities should be included in the ELP class in order to activate students and engage them in tasks.

- *What is the most important thing for you in your learning process?* At this question 55% responded with *Mastering a topic and developing new skills* and 39% with *Using my time in a fruitful and relevant way*. Taking into consideration this result the teacher can design a lesson based on teaching relevant, organized content with an appropriate level of intellectual challenge.
- *What type(s) of lesson draws your attention and stirs up your curiosity most?* For 54% of the interviewees the lessons in which the teacher introduces new information correlating it to already acquired knowledge about that topic are most interesting, followed by the lessons in which the teacher uses additional materials (internet, worksheets, videos, images) 32%. This question indicates directions for material development and the importance of providing an organized sequence of lessons.

b) Present situation (Identification of what the learners do and do not know in relation to the demands of the target situation)

- *Circle the number that best indicates your language ability in English (1 very poor, 2 quite good, 3 good, excellent).* The best rated were the writing skills (good for 60%) followed by listening skills (good for 53%), reading (good for 49%) whereas speaking was a well developed skill only for 39% of the students. This type of information is very useful for the teacher as it indicates as a diagnostic where to intervene in order to improve the situation. Together with the results of the placement test (according to which 68% of the students are at the B2 level) gives a clear indication of the target group.
- *On a scale of 1 to 5, how would you rate your general knowledge on Law topics? (1 – very poor; 2 – poor; 3 – satisfactory; 4 – good; 5 – excellent).* Thirty-five percent of the respondents considered it as poor and 31% as satisfactory which means that the initial worries about how much can teachers rely on their students' specialized knowledge were real.

c) Target situation analysis (Identification of tasks, activities and skills learners will be using English for)

- *What are your aims for studying English? Please tick at least one option.*
At this item 35% responded with *I want to learn some Legal English terminology*, 30% with *I want to learn more things about common law*, 28% think that it would be useful to know *English legal terminology in order to understand European legislation*. These answers indicate a certain interest for learning ELP although the legal system in English speaking countries is different from the branch of law that is used in Romania.

The direct result of analysing the answers from the questionnaire was the course syllabus that took into consideration the information provided by students. In the first semester the class teacher decided to introduce topics related to the common law with the goal to facilitate the understanding of its history, structure and sources of legislation. The second semester focuses more on developing professional skills such as writing legal documents (the register of letter writing, emails language, elements of good style and use of terminology) or interviewing and advising clients, making a presentation. The activities include discussion, role-plays, reading for gist and scanning, listening for gist and detailed information, note-taking on a lecture etc. Every class is based on additional materials (worksheets) that accompany the coursebook and most of them are authentic (such as statutes, court orders, legislation etc.)

Following a four-week period of study according to the proposed syllabus, students were asked to answer a feedback questionnaire with only two questions. The aim was to check the relevance of the syllabus content and to see the degree of motivation for attending the course. At the first question (*Would you attend ELP classes if the presence weren't mandatory?*) a surprising number of 78% of the students answered with *yes*. This was a clear indication that the level of intrinsic motivation was high and that fact was correlated with the structure and content of the course syllabus. At the second question (*If you could change something in your ELP course what would you modify?*), 90% of the students said that nothing should have been changed and those who were in favor of changes had comments regarding the class timetable or location. It can be said that students' responses offered a positive feedback to the teacher by giving an unambiguous signal that the ELP course was relevant and motivating.

Conclusions

Going back to the initial research problem "Can needs analysis be used as a reliable instrument in university settings where students presumably lack awareness of their specialized language learning needs?", we can say that in

this type of situation needs analysis is an extremely useful instrument that can offer relevant indications on how to raise students' interest in a course by employing successful teaching strategies and activities from their past learning experience. This kind of information can direct the teacher towards designing a student oriented course. In this particular case students' answers indicate their interest towards topics that would familiarize them with the branch of law that is used in English speaking countries such as the U.K, the U.S.A or Australia.

Regarding the two research questions proposed in the study it can be said that the answer to the first one ("Does needs analysis offer sufficient and reliable data to the course instructor who intends to design an ELP course?") is definitely "yes" and it is the teacher's task to think up a detailed questionnaire that could provide as much information as possible on the group of students.

In order to answer the second one ("Does the course designed by taking into consideration students' responses motivate them to participate to classes?"), a follow-up feedback is needed in order to check the level of students' interest in the course. In this particular case the answer was a favorable one pointing that the course was in the right direction.

In conclusion, it can be said that the use of needs analysis indicates the ESP practitioner how to intervene efficiently in re-defining the course aims, deciding on the situations in which language will be used and responding to students' expectations by providing a tailored course syllabus.

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