LAW TEACHING IN COVID-19 TIMES[1]

ENSINO DE DIREITO EM TEMPOS DE COVID-19

HADASSAH LAÍS DE SOUSA SANTANA

Pós-doutoranda em Direito Tributário pela Universidade de Brasília – UNB. Doutora Educação e Mestre em Direito pela Universidade Católica de Brasília. Assessora legislativa em matéria tributária na Câmara Federal. Advogada. Professora no Instituto Brasiliense de Direito Público. E-mail: hadassah.santana@gmail.com. https://orcid.org/0000-0001-9453-3200.
Lattes: http://lattes.cnpq.br/7817744309547446

SUSANA SÁ

Pós-doutora, Doutora e Mestre em Educação pela Universidade do Minho. Professora Adjunta no Instituto de Estudos Superiores de Fafe (IESF). Investigadora do Centro de Investigação, Desenvolvimento e Inovação (CIDI) - IESF – Portugal. https://orcid.org/0000-0003-1339-5745. Email: susana.sa@iesfafe.pt

PAULO GONET BRANCO

Professor de Direito do Instituto Brasiliense de Direito Público (IDP). Doutor em Direito pela Universidade de Brasília (UNB) e Mestre em Direitos Humanos Internacionais pela University of Essex, Reino Unido. E-mail: pgbranco@gmail.com.

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CRISTINA COSTA-LOBO

Doutora em Psicologia pela Universidade do Minho. Investigadora do CIDI-IESF (Portugal) e da Cátedra UNESCO de Educación para la Justicia Social. https://orcid.org/0000-0003-4459-8676. Lattes: http://lattes.cnpq.br/3821809180284622. Email cristinalobo@iesfafe.pt

ABSTRACT

Objective: The paper analyzes the introduction of active methodologies in the study of Law in the virtual classroom, aiming at the development of teachers in the area through practical experiences within the academic world.

Methodology: The paper adopts a deductive approach, bibliographic and documental research technique.

Results: This study highlights new active methodology practices that can be used in the adaptation of the virtual classroom due to the crisis caused by COVID-19. Provide the law teacher with knowledge of methodological tools, such as challenge-based learning and the use of Moot Court, in the team-based learning function.

Contributions: The study addresses a theme that has matured over the years in the academic debate and its relevance is reaffirmed when we encounter the pandemic scenario, with the need for social isolation and the interruption of classroom classes. The introduction of active methodologies in the teaching of Law comes as an innovative ruse for professionals of the future to succeed in their careers and cause transformations in civil society.

Keywords: Moot court, Team-Based Learning (ABD); College education; Active Methodology; Teacher training; Teaching and learning; COVID-19.

RESUMO

Objetivo: o artigo analisa a introdução de metodologias ativas no estudo do Direito em sala de aula virtual, visando o desenvolvimento de professores da área por meio de experiências práticas no meio acadêmico.

Metodologia: O artigo adota uma abordagem dedutiva, técnica de pesquisa bibliográfica e documental.

Resultados: Este estudo evidencia novas práticas de metodologias ativas que podem ser utilizadas na adaptação da sala de aula virtual devido à crise gerada pelo COVID-19. Proporcionar ao professor de Direito o conhecimento de ferramentas

metodológicas, como a aprendizagem baseada em desafios e a utilização do Moot Court, na função de aprendizagem em equipe.

Contribuições: O estudo aborda um tema que tem amadurecido ao longo dos anos no debate acadêmico e sua relevância é reafirmada quando nos deparamos com o cenário pandêmico, com a necessidade de isolamento social e a interrupção das aulas. A introdução de metodologias ativas no ensino do Direito surge como instrumento inovador para que os profissionais do futuro tenham sucesso na carreira e causem transformações na sociedade.

Palavras-chave: Simulação, Aprendizagem Baseada em Equipe (ABD); Educação universitária; Metodologia Ativa; Treinamento de professor; Ensinando e aprendendo; COVID-19.

1 INTRODUCTION

In the work of author Zygmunt Bauman, "Globalization: the human consequences", we will have the portrait of globalization on different perspectives, one of them can be seen as the end of the conception of geographic space, that is, the borders eventually became symbols that were broken through the speed and development of the media. Such a theory has never been more vivid than it is now. This year, we witnessed sudden changes in our daily lives, both in what concerns the "I" as an individual and in social interaction, due to the COVID-19 pandemic. Society was forced to adapt to the context of social distancing added to the quarantine period, and one of the areas most affected was the educational sector.

The adaptation of institutions and, mainly, of students to the technological world did not occur in a trivial way. To this extent, the focus of this article is to demonstrate the effectiveness of the implementation of new approaches in the virtual classroom in the scope of law, mainly through active methodologies. This subject is of great importance to the debate in the academic world, since the use of new technologies in teaching and learning has increasingly become present. However, we will have implementation challenges of this method, with the example of the lack of internet access, adequacy and training of students and even with the integration of students to the proposed contents and methodologies.

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Thus, we will conduct a review of the literature together with the report of practical mechanisms used for the development of teachers in the virtual classroom. This article in the following sections: the context of the virtual classroom, with the challenges and proposals of online higher education; then we will understand the development of active methodologies in the virtual classroom for the area of law, before several analyses in the literature. In sequence, the fourth section will show the role of the teacher as implementer of the active methodologies. And, finally, we will draw the conclusion of all the above-mentioned topics.

2 THE CONTEXT OF THE VIRTUAL CLASSROOM

To understand the context of the virtual classroom we will draw a national perspective on the development of Distance Education (Ead) in higher education and, soon after, we will unravel the differences between both methods. Distance learning brings with it a new perspective of time and space for pedagogy, there is no longer a direct link between teacher and student. This distance is corroborated when the teacher does not interact simultaneously with the student. In addition, one of the challenges that Ead faces is precisely the lack of access, we have that about 12% of the Brazilian population does not have access to electricity in the country and, consequently, this type of system becomes a tool that does not present the construction of an effective democratization. Thus, the effectiveness of access to distance learning is questioned. However, the virtual classroom system has a promising future within the academic environment (Oliveira, 2020).

Soon, we began to study the context of the virtual classroom that unlike the "pure" Ead presents an indirect contact, but in real time between student and teacher. And, it is through this contact that begins the challenge of the teacher in generating the engagement of the student, even more when we portray the teaching of Law that has a highly theoretical grid. As a means of communication some tools are used to make contact between students and teachers, such as: Zoom, Google Teams, Google Meet,

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among other tools. Such communication vehicles have the central function of creating a fluid, noiseless communication that creates relationships that provide the construction of knowledge. Nevertheless, there are technical problems. Finally, we say that in this process of informatization of education, it is necessary to preserve knowledge.

And, it is in this context that we will have the development of the active methodology assisting not students and, yes, the growth of teachers in the practice of methodologies applied within the virtual classroom. As an example, we will have the "Learning Based on Challenges" (ABD) methodology that refers to reporting, that focus on the literature review and enable greater clarity in decision-making on which are the best theoretical alternatives and which are the existing paths for the intended research. In addition to methods like the moot court, it considers learning processes from experience. In addition, we will portray in the next sections the effectiveness and construction of these methodologies within the virtual classroom.

3 THE DEVELOPMENT OF ACTIVE METHODOLOGIES IN THE VIRTUAL CLASSROOM FOR THE STUDY OF LAW

The human being has the intrinsic capacity to produce new knowledge at all times. This is evidenced in the article "Intelligence and creativity: epistemological connections and operational implementation in educational contexts" (2020) which portrays the relations established between creativity and intelligence. The text relates the concept of intelligence and creativity, in which intelligence is seen as the ability to solve problems in everyday life, while creativity can translate the subject's skills to solve common problems. The introduction of active methodologies is precisely in this context, as they are methods that make possible a range that covers both the development of creativity and the "growth of intelligence", that is, the student manages to develop a critical thinking that enables greater adaptability in decision-making in the

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face of challenges, regarding the possibility of remaining based on technical knowledge.

However, we will have challenges within the pedagogical scenario to create mechanisms that enable the development of creativity:

> The development of creativity is a challenging process because it is extremely complex for individuals to abandon their beliefs and change their habits. It is safer to stay in our comfort base, where the margin of error is minimal and the risk is zero. Situations such as: the fear of failure, the safety of the known, the search for perfection, the fear of risk are examples of obstacles that prevent the promotion of creative potential (Watts, 1967, cited by Bahia, 2008) In the educational context, these difficulties are sometimes reinforced. Students tend to be encouraged to conform, because teaching is structured to treat all students in the same way, that is, it does not promote the development of curiosity, does not deepen the interests and potentialities of each student. (Berg & Lobo, 2020)

That is why it is so important to carry out studies on the use of active methodologies, which create the possibility of innovation and pedagogical advancement within classrooms. Soon, we will portray the implementation of active methodologies within the virtual classroom. For this, we will approach different perspectives seen in the literature, since this type of methodology enables the development of creativity and technical knowledge. The first example to be portrayed will be the methodology called Learning Based on Challenges - ABD (Nichols, Cator, & Torres, 2016) which can be used in institutions aimed at stimulating students to face local and global challenges by acquiring knowledge through solutions to questions and problems the result of which brings depth and significantly involves participants in the activity, granting purpose to learning and bringing meaning, necessary for the experience of theory. A practical example: create an exercise aimed at developing skills such as research, engagement, action and learning initiative, that is, we can pass on the task of constructing a critical review on the relationship of tax law with the contextualization of administrative reform in the educational sector, awakening in students the interest and the search for knowledge.

In the same sense, that the results of the work of Granger, CA (et al, 2002) warn how to implement the use of new technologies successfully, from the context that

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just-in-time learning would be the most influential, but that needs supportive and collaborative relationships among teachers in engaging their own learning, especially in the context of the virtual classroom.

To confirm the hypothesis of Granger, Kukuslaka-Hulme, (2012) demonstrates the need to adapt higher education to technological advances in teaching and learning, where faculty members need a concrete experience that would provide them with the personal conviction that it is worth using a certain technology and an understanding of the contexts in which it is best used. Being a commitment to teaching lifelong learning, knowing that the "professional model" for students is one of the main roles of the teacher.

There is some difficulty in the process of interlocution in social media for learning, as demonstrated by MAO, J (2014), since social media are being used as effective learning tools and to adjust the previous evaluations of students, but that such tools require necessary efforts to design, reduce, and interact with students during the process.

To verify this process of students' interaction with the use of technologies, we analyzed Levy's article, M (2004) notes that in language teaching the use of teaching and learning technologies leads to the need for a balance between fluency and meaning and on the other hand to form and precision, and, aware of this the use of audio conference as technology in education brings the demonstration of a technique called stimulated reflection for a pedagogical approach that facilitated the audiovisual forms of interaction between language students and teachers.

Also, among the most recent articles on new technologies in teaching and learning, there is the approach to variables of organizational empowerment and commitment, considering the training of students as human capital development, keeping this capital intertwined with the organization, noting that teachers implementing the use of new technologies in the classroom improve teaching and learning methods and motivate students (Bilbão, J. 2018). And from this perspective, an account of experience in Saudi Arabia demonstrates that the training programs bring or should bring to the teacher a significant relationship between the perception

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about the use of new technologies and the real experience in using it in the classroom (Algarni, B. 2018).

In Italy a questionnaire on innovations in the theory and practice of teaching and learning has been applied identifying barriers in re-education, redesigning the development of management and knowledge in a cultural way, present in a pedagogical basis involving students, parents, community, society and its culture and in this scope identified itself as one of the critical areas of research and innovation the cost efficiency and time of learning. This article demonstrated that innovation, with deep economic and social repercussions, brings a significant association of factors and a positive impact on students' performance, including because there is a change in the market that brings jobs that do not yet exist, and drive changes to individual thinking, innovation and creativity (Boca, GD et al. 2018).

In another turn, Heinen, R (2017) addresses that the current discussion on computers as technology for teaching and learning follows a new perspective: media literacy. Understanding this competence to be learned in addition to other skills challenges schools and challenges learning objectives and how schools operate. This reference approach explains how school development can be organized and aligned with these changes, focusing on the potential of regional school networks, where schools can benefit from the mutual exchange of concepts and experiences.

Reinforcing the scope of new technologies in education in the field of teaching and learning, we cite the article by Dudeney, G (2018), which explores the speed of technological change and how digital division affects the implementation of educational technologies.

The article by Braxton, JM (2000) indicated that active learning exerts statistically reliable influences on social integration, subsequent institutional commitment and intention to return to university. Oloughlin, M (1992) had previously demonstrated a socio-cultural teaching and learning model rethinking Piagetian constructivism and presenting an epistemological critique from the subjectivity of the learner and the nature of the historically situated social knowledge and, by demonstrating the failure of constructivism to deal with the essential issues of culture,

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power and discourse in the classroom, it demonstrates a learning situated in contexts, in which students bring their own subjectivities and cultural perspectives to build understanding.

Within the context of active learning, Huizenga, J (2009) uses games in education to demonstrate their combination with fun. To do so, the author demonstrates a mobile city game called Frequency 1550, developed by The Waag Society to help students in their first year of high school entertain the historical knowledge of medieval Amsterdam. The result showed that there was greater gain of knowledge, corroborating for the use of technologies in the teaching and learning process.

In any case, it is necessary to merge the use of active learning, because, as demonstrated by Struyven, K (2006), the activating instruction of the student does not always deepen the learning, but it can push students towards a surface approach and significantly reduce strategic student approaches. And, under this point, another significant text addresses that, although active learning can enhance students' learning, is not associated with greater learning gains, including, because most instructors do not have the rich and differentiated understanding of teaching and learning that researchers of scientific education in the field of active learning developed.

4 THE ROLE OF TEACHERS AS IMPLEMENTERS OF ACTIVE METHODOLOGIES.

In summary, we conclude that the main actor in the development of active methodologies is the teacher. Besides emphasizing that, the great instigation that these professionals find is precisely in the change of the role of student and educator with the introduction of technology in the relations that were previously predefined, with the teacher assuming the active role and passive student (Lobo, 2011).

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And, still under this tune, the need arises for the training of such professionals, demonstrating the need to adapt to the way active learning is applied, indicating the importance of cultural change in schools and departments (Niemi, H; 2002). And to confirm this hypothesis arises in 2005 (Moust, JHC) a relevant record on signs of erosion after three decades of problem-based learning when the implementation of an innovation and large scale can trigger different activities and attitudes in the most involved actors and, to that extent, pupils and instructors may behave in a manner counterproductive to the development of self-learning aimed to demonstrate the need to revitalize the processes of active learning through the use of the problem based Learning in order to contribute to educational innovations in a more solid way.

Contributing to the research panorama of active learning, the article by Kuh, GD (1997), presents indicators that represent behaviors associated with the desired results at graduation and, estimating the participation in these activities, lists three suggested good practices: teacher-student contact, student cooperation and active learning, the last two predictors of gains, isolating the basic and individual characteristics of each student.

The most recent articles on active learning contextualize socio-emotional competence as one of the main variables. The article by Llorent Vaqueiro, M (2018) addresses the essentiality of investment in education for active citizenship, favoring social cohesion. At the same time, the study by Day, LJ (2018) demonstrates that classroom anatomy affects performance, retention and higher-level thinking, it is beneficial to use the inverted classroom to benefit the acquisition of knowledge and the transfer of the student with less than a higher grade than the students with better performance.

And, among the most recent articles, Glance D (et al, 2018) presents an active learning methodology called LEE (learning, expanding and engaging)which, even using constructivist philosophies and student-centered pedagogies and reversed classrooms, is useful for teaching clinical skills in assisting professions to others, empowering and reinforcing the mastery of skills and flexibility to respond to individual learning needs of students. The model presented aims to provide a structure for higher

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education that responds to the recently identified need for a skills-based learning pedagogy in health professions. But it can also be extended to law school.

It is also mentioned as an important gain in the most recent research on a care structure to design experiences in formal or informal learning, recognizing the intentions of reflexive learning through open communication, creating a caring experience for students (Glowacki-Dudka, M; et al. 2018).

An interesting report in the combination of research and learning is reported by Dias, GP (2019), when the motivations, methods and results achieved are described in such a way as to demonstrate that, in appropriate contexts, the link between teaching and learning and research can contribute to the student's motivation and to the development of relevant learning and, at the same time, be an added value for research.

Strategies for active learning are also the focus of the case report of the article by Rodrigues, E (et al; 2018), which presents the experience of a small institution in Portugal in the use of the problem-based methodology based learning in the area of computing and portrayed positively the high level of participation and that, in addition to more specific digital skills, the various activities allowed the promotion of group work, computational thinking and communication skills for groups-distinct targets at all ages, being such a circumstance especially relevant, as they are important and necessary skills not only for the workplace, but also for daily life.

Finally, within the context of active learning, we have as a relevant recent article, the report by Bragelien, JJ (et al; 2018) about a University in Norway describing the changes and understanding the impact that such an approach has had on interdisciplinary cooperation for a management discipline from a densifying of experiences with promising solutions of digital technology, despite the obstacle of mixing courses that brought different schedules and half-yearly plans.

Active learning is then at the center of its approach in the student and spreads contexts of teaching and learning in teams (TBL) or problem-based (PBL). The problem-based Learning is described by Promentilla, Licas, Aviso and Tan (2017) as educational strategies that will improve learning outcomes and that, according to

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Jumari, Mohd-Yusof, &Phang (2018) will improve students' metacognitive skills development. This position corroborates the article by Cargas, Williams, & Rosenberg (2017), which highlights the exploration of the use of performance-focused tasks as a vector for increasing students' and instructors' awareness of the tools and practices involved in critical thinking. In addition to this approach confirm that, from qualitative data, the value of student participation in performance tasks that are rigorous and challenging.

The articles that address the use of team-based methodology Learning are located, mostly in the health area and among the five most cited is the report of team learning in the course of medical macroscopic anatomy and embryology (NIEDER et al;2005), which addresses the objectives by guiding the tasks of small groups, with an individual readiness assurance test, a group readiness assurance test, and a group application problem, in addition to regular peer review. In this report, the scores of the activities of the TBL session and the exams of the course were analyzed and compared with the performance of the course of previous years and there was improvement in the preparation of the students' day-to-day and in the skills of group problem solving and that, although there has been no significant improvement in the average of the individual score, there has been a lower failure rate of the course in a general examination, suggesting that TBL is a superior method for learning small groups in the anatomy course researched and an important consideration is the suggestion that TBL can benefit more academically at-risk students by being forced to study more consistently, receive regular feedback on their preparation and have the opportunity to develop higher thinking skills.

Another relevant article demonstrates the impact of team-based learning, also in the medical course, reporting a medical education strategy in 2001 and from variables that would determine the impact of the use of the TBL methodology on the performance of examinations, verifying higher performance of students in exam questions related to the course content learned through TBL suggesting that TBL increases the mastery of the course content (Koles, PG; 2010).

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Thompson's article, BM (et al; 2003) shows the context of the continued use of team-based learning, demonstrating the difficulties of using team-based Learning, especially regarding faculty, administration, curriculum and students, considering also some characteristics of specific courses.

Parmelee, DX and Michaelsen, LK. (2010) provide the reader with twelve recommendations that can ensure the success of the project and implementation in the use of team-based Learning. Such teaching and learning methodology has emerged in recent years in medical education and has been reported in articles demonstrating TBL as a consistent improvement of academic outcomes, shifting the instructional focus from knowledge transmission to knowledge application, in addition to addressing various professional competencies that cannot be achieved or evaluated through lecture-based instructions.

The relevance of the use of LSD in the nursing course also demonstrates that such strategies are increasingly popular and the results demonstrate that team learning is an effective teaching strategy, especially for large groups of students (Clark, MC; et al; 2008).

Among the most recent articles, Low, XM; Horrigan, D and Brewster, DJ (2018) demonstrate that team training in intensive medicine is revealed to be an exponential growth, where by searching databases the use of team-based learning to support medical teaching through simulation facilitated clinical learning and positively altered the behavior of the teams, suggested result also for the case report of a nursing course, which suggests positive contributions to the learning of students in a leadership course in Nursing (Goktepe, N et al; 2018).

In addition, another also recent article on the use of TBL was presented at an International Technology Conference, Education and Development demonstrating that there is a significant increase in the involvement of students in their learning through team collaboration and that the reverse learning approach in a structured process has been increasing in higher education institutions european. And this article confirms the hypothesis that other texts bring about the benefits to students who have lower performance. This group of researchers intends next year, in 2019, to develop a

research-based toolkit to support the adoption of active collaborative learning at scale (Richter, U.M; Berkson, R. 2018).

A recent and interesting text brings the use of TBL as a tool for an interprofessional education among students of medicine and pharmacy, which resulted in significant improvements in all areas of students' attitudes towards interprofessional collaboration (Quesnelle, KM atall; 2018).

And finally, among the most recent articles on the use of TBL, there is an investigation into the use of an educational game and team-based learning demonstrating that the use of inactive methods of education can cause fatigue, lack of attention, frustration, lack of motivation and decrease the level of learning of students, while in games in education occurs one of the interactive, active and fun methods that has its own educational purpose and that translates the special characteristics, highlighting specific skills through the deepening of skills (Mosalanejad, L; 2018).

When talking about moot court or simulated cutting there are few articles compared to the other variables of the research, especially when the term is joined to the legal context both in the Scopus database and in the Web of Science database, therefore, the five most cited or most recent articles were not included in the text, because although the research recovered more than thirty articles, few of them specifically spoke about the use of moot court as a methodology in law teaching.

Anyway, Watt G (2018), offers some reflections on a teaching module in legal graduation, attesting the mooting and forensic rhetoric as a practice that demonstrates the defense of law as an art that is between practice and habit. And among the skills that law students should have access to is the skills-based approach, which Turner J, (2018) considers as part of a training and considers the students' perception of employability and an experiential learning in the Law course to be used more forcefully in the Law course.

And, regarding pedagogical value, an article that brings the key context of moot court, Billings, P (2018) points out as a unique opportunity to develop with superior analytical skills that lead students to think beyond doing and knowing, but that competitions are highly effective vehicles for learning students.

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Consolo, Analia N (2015) also addresses the positive influence generated in the field of legal and social sciences with the practice of moot, in which there was the development of creativity, teamwork, analysis strategies, the critical spirit, the relationships established with students and professors from other universities. In addition, the fact that the referees, who participate as jurors are part of large law firms, the competition becomes a showcase and the article highlights that the "Moots", as a teaching method of International Commercial Arbitration, constitute an integrative learning that experience is able to provide tools as any other practice in the degree does. Thus, with a hypothetical case, the selected students investigate, generate strategies, argue, elaborate memorials and verbalize in the oral debate.

To complement the debate, we use the Web of Science database, which gave a larger basis of results than Scopus. And, among the most recent articles, Enqvist-Jensen, C (2018) explores challenges of knowledge and learning in law, observing the group work of students with case designations and the analysis showed that the strategies previously learned from students to link texts and arguments of authority in defining and solving legal problems were challenged and revealed tensions in the scenario between the demands of navigating more open knowledge landscapes and the expectations about the behavior of students in current educational practices.

Among the five most cited articles with the term moot* was found the article written by Marsh, L; Ramsden, M (2015) of interest to the research, but that addresses the use of mooting in high school to provide these students with experiential learning in the recruitment effort to ensure that the student is better prepared to choose the law school.

In addition, the article by Ng, LL, Friedman, SH. (2015) reporting an Australian experience in working with a simulated court in the area of forensic psychiatry and demonstrating as a result the real learning value and constructive feedback in which technical language has been valued, the level of response and the breadth in the questions that could be presented the training in an unfavorable environment and the acquisition of skills to keep calm under pressure and as a conclusion has the need for

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a well written report, good preparation and anxiety management for significant learning points.

5 FINAL CONSIDERATIONS

Therefore, we conclude that this article is the result of practical experience of the use of methodologies applied in the virtual classroom for teachers in the area of law. In addition to evidencing different literatures that corroborate the effectiveness of these practices. Where the first example used was the result of teaching and learning within the ABD, through a practical context of action and sharing, to this extent, the methodology resulting in this text contributes to the student's ability to analyze the research process as conducive to the use of current teaching and learning methodologies and empowers autonomy in research, qualifying the scientific work by means of refined searches and construction of a solid theoretical framework, current and referenced by qualified databases. Creating the possibility of acting as a researcher and at the same time the practical example of active methodology enables the elaboration and development of pedagogical proposals that achieve effectiveness in the understanding of concepts and practical application of the theory.

In addition to considering, from the references exposed, a low production of texts and articles on the moot court and that none of them addresses such method as team-based learning experience. In any case, it is possible to verify the relevance of the use of this methodology in the course of Law and in a comparison of structure to point out similarities to team-based Learning, although with peculiarities and results that amplify the socio-emotional competence. Evidencing that there is the possibility of practical application in the virtual classroom during a pandemic period. Thus, we understand that the use of active methodologies aims to innovate the canary between student and teacher, placing both as creators of knowledge, innovating the training of future professionals who will take over the labor market.

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REFERENCES

ALGAMI, B (Algarni, B.) Teachers' perceptions toward using interactive whiteboard in high schools in saudi arabia Editado por: Chova LG; Martinez AL; Torres :**12th international technology, education and development conference** (INTED Série de livros: INTED Proceedings Páginas: 92609268 Publicado: 2018

AMADOR, J. A.; Miles, L.; Peters, C. B. **The Practice of Problem-based Learning**: A Guide to Implementing PBL in the College Classroom. Boston: Anker, 2007.

ANTUNES, C. ***Como desenvolver as competências em sala de aula***. EditoraVozes. 11aed. 2008.

ARAÚJO, U.; Sastre, G. ***Aprendizagem baseada em problemas no Ensino Superior*.** São Paulo, SP: Summus Editorial, 2009.

BAUMAN, Zygmunt. ***Globalização:*** *As conseqüências humanas.* Rio de Janeiro: Jorge Zahar Editor, 1999.

BARRET, T., & Moore, S., Eds. **New approaches to problem-based learning**: Revitalizing your practice in higher education. New York, NY: Routledge, 2014.

BERBEL, N. A. N. (org.). ***Metodologia da problematização:*** *fundamentos e aplicações.* Londrina: Editora da UEL/INEP, 1999.

BERGMANN, J.; Sams, A. ***Sala de aula invertida*:** *uma metodologia ativa de aprendizagem.* Rio de Janeiro, RJ: LTC, 2016.

BILHAO, J (Bilbao, Javier); Feniser, C (Feniser, Cristina); Garcia, O (Garcia, Olatz); Rebollar, C (Rebollar, Carolina); Bravo, E (Bravo, Eugenio); Varela, C (Varela, Concepcion) Chova LG; Martinez AL; Torres IC Management applied directly to university world: chance to empower students: **12th international technology, education and development conference (inted)** Série de livros: INTED Proceedings Páginas: 59986001 Publicado: 2018

BOCA, GD (Boca, Gratiela Dana); Saracli, S (Saracli, Sinan The Impact of Knowledge Management and Re-innovation Management) Editado por: Soliman KS: **Innovation management and education excellence through vision** *2020*, VOLS I -XI Páginas: 6097-6112 Publicado: 2018

BRAGELIEN, JJ (Bragelien, Judit J.); Voldsund, KH (Voldsund, Kari H innovation "across" in an innovation and entrepreneurial science) Editado por: Chova LG; Martinez AL; Torres IC Fonte: **12th International technology***, education and development conference (inted)* Série de livros: INTED Proceedings Páginas: 69916998 Publicado: 2018

BRAXTON, JM (Braxton, JM); Milem, JF (Milem, JF); Sullivan, AS (Sullivan, AS The influence of active learning on the college student departure process - Toward a revision of Tinto's theory , Fonte: **Journal of Higher Education** Volume: 71 Edição: 5 Páginas: 569-+ DOI: 10.2307/2649260 Publicado: SEP-OCT 2000

BURGORGUE-LARSEN, Laurence. **The Inter-American Court of Human Rights:** caselaw and commentary. Oxford: Oxford University Press, 2011.

CARGAS, S., Williams, S., Rosenberg, M. (2017). **An approach to teaching critical thinking across disciplines using performance tasks with a common rubric.** Thinking Skills and Creativity, 26, 24- 37.

CHOUNTA, I.-A., Manske, S., Hoppe, H. U. (2017). "From Making to Learning": introducing Dev Camps as an educational paradigm for Re-inventing Problem-based Learning. **International Journal of Educational Technology in Higher Education**, 14 (21), 1-15.

CLARK, MC (Clark, Michele C.); Nguyen, HT (Nguyen, Hoang Thanh); Bray, C (Bray, Chris); Levine, RE (Levine, Ruth E.) Team-based learning in an undergraduate nursing course, Fonte: **Journal of Nursing Education** Volume: 47 Edição: 3 Páginas: 111-117 DOI: 10.3928/01484834-20080301-02 Publicado: MAR 2008

CONSOLO, AN (Consolo, Analia N.) Fonte: ***Derecho y ciencias sociales international commercial arbitration and the moot practice*.** The methods used in teaching of Legal and Social Sciences, Edição: 13 Páginas: 3-12 Publicado: OCT 2015

DAY, LJ (Day, Leslie J.A gross anatomy flipped classroom effects performance, retention, and higher-level thinking in lower performing students, Fonte: **ANATOMICAL SCIENCES EDUCATION** Volume: 11 Edição: 6 Páginas: 565-574 DOI: 10.1002/ase.1772 Publicado: NOV-DEC 2018

DIAS, GP (Dias, G. P.); Gomes, H (Gomes, H.) Editado por: Chova LG; Martinez AL; Torres IC Combining research and learning: an example using local e-government evaluation, fonte: **12th international technology***, education and development conference (inted)* Série de livros: INTED Proceedings Páginas: 5628 5633 Publicado: 2018

ECK, N. J., Waltman, L. (2010). **Software survey:** VOSviewer, a computer program for bibliometric mapping. Scientometrics, 84, 523–538.

ENQUVIST-JENSEN, C. Navigating fluid epistemic spaces: emerging challenges for student knowing and learning in public international law (2018) **Studies in Continuing Education,** 40 (3), pp. 257-272.

FREIRE, P. ***Pedagogia da Autonomia***. 36. ed, São Paulo: Paz e Terra, 2009.

GLOWACKI-DUDKA, M (Glowacki-Dudka, Michelle); Mullett, C (Mullett, Cathy); Griswold, W (Griswold, Wendy); Baize-Ward, A (Baize-Ward, Amy); Vetor-Suits, C (Vetor-Suits, Crissy); Londt, SC (Londt, Susan ColeFraming Care for Planners of Education Programs, Fonte: **adult learning** Volume: 29 Edição: 2 Páginas: 62-71 DOI: 10.1177/1045159517750664 Publicado: MAY 2018

GRÁCIO, M. C. C. (2016). Acoplamento bibliográfico e análise de cocitação: revisão teórico-conceitual. Encontros Bibli: **Revista Eletrônica de Biblioteconomia e Ciência da Informação,** 21 (47), 82-99.

GRANGER, CA (Granger, CA); Morbey, ML (Morbey, ML); Lotherington, H (Lotherington, H); Owston, RD (Owston, RD); Wideman, HH (Wideman, HH) Factors contributing to teachers' successful implementation of IT **Journal of computer assisted learning** Volume: 18 Edição: 4 Páginas: 480-488 DOI: 10.1046/j.0266-4909.2002.00259.doc.x Publicado: DEC 2002

GOKTEPE, N (Goktepe, Nilgun); Turkmen, E (Turkmen, Emine); Zeybekoglu, Z (Zeybekoglu, Zuhal); Yalcin, B (Yalcin, Begum Use of Team-Based Learning in a Nursing Leadership Course An Action Research Study: Fonte: **Nurse educator** Volume: 43 Edição: 6 Páginas: E1-E4 DOI: 10.1097/NNE.0000000000000500 Publicado: NOV-DEC 2018

GRANDJEAN, M. (2015). *GEPHI* – **Introduction to network analysis and visualization.** Disponível em < http://www.martingrandjean.ch/introduction-to-network-visualization-gephi/ > Acesso em 01.Dez.2018

HEINEN, R (Heinen, Richard); Kerres, M (Kerres, Michael "Education in a Digital World" as a Challenge for Schools, Fonte: **Dds-die deutsche schule** Volume: 109 Edição: 2 Páginas: 128-145 Publicado: 2017

HILL, Jeffrey. **A practical guide to mooting**. Palgrave Macmillan, 2009

HOCKLY, N (Hockly, Nicky); Dudeney, G (Dudeney, Gavin) Current and Future Digital Trends in ELT : Fonte: **Relc Journal** Volume: 49 Edição: 2 Páginas: 164-178 DOI: 10.1177/0033688218777318 Publicado: AUG 2018

HUIZENGA, J (Huizenga, J.Mobile game-based learning in secondary education: engagement, motivation and learning in a mobile city game ; Admiraal, W (Admiraal, W.); Akkerman, S Akkerman, S.; ten Dam, G (ten Dam, G.) Fonte: **Journal of Computer Assisted Learning** Volume: 25 Edição: 4 Páginas: 332-344 DOI: 10.1111/j.1365-2729.2009.00316.x Publicado: AUG 2009

JUMARI, N. F., Mohd-Yusof, K., Phang, F. A. (2018). Metacognitive development in engineering students through cooperative problem-based learning (CPBL). **Advances in Intelligent Systems and Computing,** 627, 107-120.

KOLES, PG (Koles, Paul G.); Stolfi, A (Stolfi, Adrienne); Borges, NJ (Borges, Nicole J.); Nelson, S (Nelson, Stuart); Parmelee, DX (Parmelee, Dean X.)The Impact of Team-Based Learning on Medical Students' Academic Performance, Fonte: **Academic Medicine** Volume: 85 Edição: 11 Páginas: 1739-1745 DOI: 10.1097/ACM.0b013e3181f52bed Publicado: NOV 2010

KUH, GD (Kuh, GD); Pace, CR (Pace, CR); Vesper, N (Vesper, N) The development of process indicators to estimate student gains associated with good practices in undergraduate education , Fonte: **Research in Higher Education** Volume: 38 Edição: 4 Páginas: 435-454 DOI: 10.1023/A:1024962526492 Publicado: AUG 1997

KUKULSKA-HULME, A (Kukulska-Hulme, Agnes) How should the higher education workforce adapt to advancements in technology for teaching and learning? **Internet and Higher Education** Volume: 15 Edição: 4 Edição especial: SI Páginas: 247-254 DOI: 10.1016/j.iheduc.2011.12.002 Publicado: OCT 2012

KWORK, D., Yang, S. (2017). Evaluating the intention to use ICT collaborative tools in a social constructivist environment. **International Journal of Educational Technology in Higher Education**, 14 (32), 1-14.

LEVY, M (Levy, M); Kennedy, C (Kennedy, C A task-cycling pedagogy using stimulated reflection and audio-conferencing in foreign language learning: **Language Learning &Technology** Volume: 8 Edição: 2 Páginas: 50-68 Publicado: MAY 2004

LLORENT-Vaquero, M (Llorent-Vaquero, Mercedes); Mac Fadden, I (Mac Fadden, Isotta); Llorent-Bedmar, V (Llorent-Bedmar, Vicente) Teaching in Secondary School before the challenge of emotions: socio-emotional competence of the teacher to educate an active citizenship,Fonte: **I Jeri-International Journal Of Educational Research And Innovation** Edição: 10 Páginas: 126-140 Publicado: 2018

LOW, XM (Low, X. M.); Horrigan, D (Horrigan, D.); Brewster, DJ (Brewster, D. J.) The effects of team-training in intensive care medicine: A narrative review Fonte: **Journal of Critical Care** Volume: 48 Páginas: 283-289 DOI: 10.1016/j.jcrc.2018.09.015 Publicado: DEC 2018

MAO, J (Mao, Jin Social media for learning: A mixed methods study on high school students' technology affordances and perspectives, **Computers In Human Behavior** Volume: 33 Páginas: 213-223 DOI: 10.1016/j.chb.2014.01.002 Publicado: APR 2014
MARKHAM, T.; Larmer, J.; Ravitz, J. *Aprendizagem baseada em projetos*: guia para professores de ensino fundamental e médio. Porto Alegre: Artmed, 2008.

MARSH, L (Marsh, Luke); Ramsden, M (Ramsden, Michael)Reflections on a high school mooting competition: bridging the gap between secondary and tertiary education: Fonte: **LAW TEACHER** Volume: 49 Edição: 3 Páginas: 323-335 DOI: 10.1080/03069400.2015.1052244 Publicado: 2015

MCC Lobo et al . , "Using remote experimentation in a major undergraduate course: initial results," 2011 Frontiers in **Education Conference** (FIE) , Rapid City, SD, 2011, pp. S4G-1-S4G-7, doi: 10.1109 / FIE.2011.6142913.

MORAN, J. M. **A *educação que desejamos:*** *novos desafios e como chegar lá*. 5. ed. Campinas: Papirus, 2014.

MORESI, E. A. D., Braga Filho, M. O., Barbosa, J. A., Lopes, M. C., Morais, M. A. A. T., Santos, J. C. A., Borges, M. P., Osmala, W. A. (2017*). O emprego do aprendizado baseado em desafios no desenvolvimento de aplicativos móveis.* In: **Iberian Conference on Information Systems and Technologies**, *CISTI*, art. no. 7975800.

MOUST, JHC (Moust, JHC); van Berkel, HJM (van Berkel, HJM); Schmidt, HG (Schmidt, HG) Signs of erosion: Reflections on three decades of problem-based learning at Maastricht University Fonte: **Higher Education** Volume: 50 Edição: 4 Páginas: 665-683 DOI: 10.1007/s10734-004-6371-z Publicado: NOV 2005

MOSALANEJAD, L (Mosalanejad, L.); Razeghi, B (Razeghi, B.); Abdollahifard, S (Abdollahifard, Saeed) Educational Game: A Fun and team based learning in psychiatric course and its effects on Learning Indicators: Fonte: **Bangladesh Journal Of Medical Science** Volume: 17 Edição: 4 Páginas: 631-637 DOI: 10.3329/bjms.v17i4.38327 Publicado: OCT 2018

NG, L.L., Friedman, S.H. **Testifying in a Mock Court:** The Experiences of Forensic Advanced Trainees (2015) Australasian Psychiatry, 23 (2), pp. 177-180.

NICHOLS, M.; Cator, K.; Torres, M. **Challenge Based Learner User Guide.** Redwood City, CA: Digital Promise, 2016.

M., Cator, K., Torres, M. **Challenge Based Learner User Guide.** Redwood City, CA: Digital Promise, 2016. 59p.

NIEDER, GL (Nieder, GL); Parmelee, DX (Parmelee, DX); Stolfi, A (Stolfi, A); Hudes, PD (Hudes, PD) Team-based learning in a medical gross anatomy and embryology course ,Fonte: **Clinical Anatomy** Volume: 18 Edição: 1 Páginas: 56-63 DOI: 10.1002/ca.20040 Publicado: JAN 2005

NIEMI, H (Niemi, H) Active learning - a cultural change needed in teacher education and schools Fonte: **Teaching and Teacher Education** Volume: 18 Edição: 7

Páginas: 763-780 Número do artigo: PII S0742-051X(02)00042-2 DOI: 10.1016/S0742051X(02)00042-2 Publicado: OCT 2002

NIQUINI, D. P. ***O Grupo Cooperativo***: *uma metodologia de ensino*. 1ª ed. Brasília: Universa, 1997.

OLIVEIRA, MARCIA ROZENFELD GOMES DE; MILL, DANIEL; RIBEIRO, LUIS ROBERTO DE CAMARGO. ***A gestão da sala de aula virtual e os nossos saberes para docência na modalidade de educação a distância.*** 2009-11-27. Disponível em:<http://repositorio.ufsc.br/xmlui/handle/123456789/35862>. Acesso em: 21 dez. 2020

PASQUALUCCI, Jo M. **The practice and procedure of the Inter-American Court of Human Rights**. Cambridge: Cambridge University Press, 2010

PARANYUSHKIN, D. (2011). **Identifying the Pathways for Meaning Circulation using Text Network Analysis.** Disponível em: < http://noduslabs.com/research/ >. Acesso em: 30/nov/2017.

PARMELLE, DX (Parmelee, Dean X.); Michaelsen, LK (Michaelsen, Larry K.Twelve tips for doing effective Team-Based Learning (TBL) Autor(es):) Fonte: **Medical Teacher** Volume: 32 Edição: 2 Páginas: 118-122 DOI: 10.3109/01421590903548562 Publicado: 2010

PROMETILLA, M. A. B., Lucas, R. I. G., Aviso, K. B., Tan, R. R. (2017). Problem-based learning of process systems engineering and process integration concepts with metacognitive strategies: The case of P-graphs for polygeneration systems. **Applied Thermal Engineering,** 127, 1317-1325.

PUTRA, A. S., Seth, P. (2018). Academia-hospital course co-development: Developing an internet-ofthings-based design course for engineering undergraduate students. **Advances in Intelligent Systems and Computing**, 627, pp. 132-142.

QUESNELLE, KM (Quesnelle, Kelly M.); Bright, DR (Bright, David R.); Salvati, LA (Salvati, Lisa A.) Interprofessional education through a telehealth team based learning exercise focused on pharmacogenomics; Fonte: **Currents In Pharmacy Teaching And Learning** Volume: 10 Edição: 8 Páginas: 1062-1069 DOI: 10.1016/j.cptl.2018.05.015 Publicado: AUG 2018

RICHTER, UM (Richter, U. M.); Berkson, R (Berkson, R.) Editado por: Chova LG; Martinez AL; Torres IC Increasing student engagement in their learning through scaling up active collaborative learning Fonte: *1***2th International Technology, Education and Development Conference (inted)** Série de livros: INTED Proceedings Páginas: 5559 5568 Publicado: 2018

RODRIGUES, E (Rodrigues, E.); Brito, IS (Brito, I. S.); Barros, JP (Barros, J. P.); Silva, AJT (Toucinho Silva, A. J.) Editado por: Chova LG; Martinez AL; Torres IC Fostering digital competencies in a regional context, Fonte: **12th International Technology, Education and Development Conference** *(inted)* Série de livros: INTED Proceedings Páginas: 5954 5958 Publicado: 2018

SALABERRY, MR (Salaberry,) MR The use of technology for second language learning and teaching: A retrospective, **Modern Language Journa/** Volume: 85 Edição: 1 Páginas: 39-56 DOI: 10.1111/0026-7902.00096 . 2001

SNAPE, John; WATT, Gary. **How to moot:** a student guide to mooting. Oxford: Oxford University Press, 2nd ed. 2010. KEE, Christopher. The art of argument: a guide to mooting. Cambridge: Cambridge University Press, 2006.

SSTRUYVEN, K (Struyven, Katrien); Dochy, F (Dochy, Filip); Janssens, S (Janssens, Steven); Gielen, S (Gielen, Sarah On the dynamics of students' approaches to learning: The effects of the teaching/learning environment, Fonte: **Learning and Instruction** Volume: 16 Edição: 4 Páginas: 279-294 DOI: 10.1016/j.learninstruc.2006.07.001 Publicado: AUG 2006

THOMPSON, BM (Thompson, Britta M.); Schneider, VF (Schneider, Virginia F.); Haidet, P (Haidet, Paul); Levine, RE (Levine, Ruth E.); McMahon, KK (McMahon, Kathryn K.); Perkowski, LC (Perkowski, Linda C.); Richards, BF (Richards, Boyd F.) Team-based learning at ten medical schools: two years later, Fonte: **Medical Education** Volume: 41 Edição: 3 Páginas: 250-257 DOI: 10.1111/j.1365-2929.2006.02684.x Publicado: MAR 2007 Resumo: Purpose: In 2003

TURNER, J (Turner, Juliet); Bone, A (Bone, Alison); Ashton, J (Ashton, Jeanette) Fonte: **law teacher Reasons why law students should have access to learning law through a skills-based approach**; Volume: 52 Edição: 1 Páginas: 1-16 DOI: 10.1080/03069400.2016.1201739 Publicado: 2018

VAN Eck, N. J., Waltman, L. (2017**). VOSviewer Manual**. Universiteit Leiden.

VESTANA, C. , Berg, J. , Silva, W. and Costa-Lobo, C. (2020) Intelligence and Creativity: Epistemological Connections and Operational Implications in Educational Contexts. **Creative Education**, **11**, 1179-1200. doi: 10.4236/ce.2020.117088.

WATT, G (Watt, Gary) The art of advocacy: renaissance of rhetoric in the law school; Fonte: **law and humanities** Volume: 12 Edição: 1 Páginas: 116-137 DOI: 10.1080/17521483.2018.1464243 Publicado: 2018