

ELECTRONIC CARD GAME

AN INNOVATIVE METHOD FOR TEACHING RELEVANCE AND WEIGHT OF AUTHORITIES

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Facts:

Phil Harding and Jerry Jones shared a dorm room at NYU. Phil owned a parakeet named Howdy, which he kept in a cage in the room. One evening, Jerry became upset because Howdy was making a lot of noise while Jerry was trying to study for an exam. He took the bird out of the cage and threw it against the wall, killing the bird.

Can Jerry be charged with animal cruelty as a felony?

For the purpose of the card game, you may use the following descriptions of the authorities cited on the “cards.” The full citations for these authorities are included on the cards.

Summary of Authorities:

Statutes:

N.Y. Agriculture and Markets Law

→ § 350. Definitions

1. “Animal,” as used in this article, includes every living creature except a human being;
2. “Torture” or “cruelty” includes every act, omission, or neglect, whereby unjustifiable physical pain, suffering or death is caused or permitted.
3. “Adoption” means the delivery to any natural person eighteen years of age or older, for the limited purpose of harboring a pet, of any dog or cat, seized or surrendered.
4. “Farm animal”, as used in this article, means any ungulate, poultry, species of cattle, sheep, swine, goats, llamas, horses or fur-bearing animals, as defined in section 11-1907 of the environmental conservation law, which are raised for commercial or subsistence purposes. Fur-bearing animal shall not include dogs or cats.
5. “Companion animal” or “pet” means any dog or cat, and shall also mean any other domesticated animal normally maintained in or near the household of the owner or person who cares for such other

domesticated animal. "Pet" or "companion animal" shall not include a "farm animal" as defined in this section.

→ § 353. Overdriving, torturing and injuring animals; failure to provide proper sustenance

A person who overdrives, overloads, tortures or cruelly beats or unjustifiably injures, maims, mutilates or kills any animal, whether wild or tame, and whether belonging to himself or to another, or deprives any animal of necessary sustenance, food or drink, or neglects or refuses to furnish it such sustenance or drink, or causes, procures or permits any animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed, or to be deprived of necessary food or drink, or who willfully sets on foot, instigates, engages in, or in any way furthers any act of cruelty to any animal, or any act tending to produce such cruelty, is guilty of a class A misdemeanor and for purposes of paragraph (b) of subdivision one of section 160.10 of the criminal procedure law, shall be treated as a misdemeanor defined in the penal law.

Nothing herein contained shall be construed to prohibit or interfere with any properly conducted scientific tests, experiments or investigations, involving the use of living animals, performed or conducted in laboratories or institutions, which are approved for these purposes by the state commissioner of health. The state commissioner of health shall prescribe the rules under which such approvals shall be granted, including therein standards regarding the care and treatment of any such animals. Such rules shall be published and copies thereof conspicuously posted in each such laboratory or institution. The state commissioner of health or his duly authorized representative shall have the power to inspect such laboratories or institutions to insure compliance with such rules and standards. Each such approval may be revoked at any time for failure to comply with such rules and in any case the approval shall be limited to a period not exceeding one year.

→§ 353-a. Aggravated cruelty to animals

1. A person is guilty of aggravated cruelty to animals when, with no justifiable purpose, he or she intentionally kills or intentionally causes serious physical injury to a companion animal with aggravated cruelty. For purposes of this section, "aggravated cruelty" shall mean conduct which: (i) is intended to cause extreme physical pain; or (ii) is done or carried out in an especially depraved or sadistic manner.

2. Nothing contained in this section shall be construed to prohibit or interfere in any way with anyone lawfully engaged in hunting, trapping, or fishing, as provided in article eleven of the environmental conservation law, the dispatch of rabid or diseased animals, as provided in article twenty-one of the public health law, or the dispatch of animals posing a threat to human safety or other animals, where such action is otherwise legally authorized, or any properly conducted scientific tests, experiments, or investigations involving the use of living animals, performed or conducted in laboratories or institutions

approved for such purposes by the commissioner of health pursuant to section three hundred fifty-three of this article. A

3. Aggravated cruelty to animals is a felony. Any defendant convicted of this offense shall be sentenced pursuant to paragraph (b) of subdivision one of section 55.10 of the penal law provided, however, that any term of imprisonment imposed for violation of this section shall be a definite sentence, which may not exceed two years.

Cases summaries:¹

Hammer v. American Kennel Club Statute prohibiting causing unjustifiable mutilation or pain to animals could be construed to proscribe practice of docking dogs' tails for cosmetic reasons, as alleged in dog owner's action challenging breed standards set by organization of dog breeders and exhibitors for showing of Brittany Spaniels, which penalized failure to dock dogs' tails.

People v. Boateng The court properly exercised its discretion in denying defendant's request for youthful offender status. Defendant committed acts of extreme brutality toward an animal. "Agriculture and Markets Law § 353-a(1), 'Aggravated cruelty to animals,' represents the Legislature's recognition that man's inhumanity to man often begins with inhumanity to those creatures that have formed particularly close relationships with mankind."

People v. Baniqued Plain language of animal cruelty statutes evinces a far-ranging intent to punish cruelty against "every dumb creature," even when the creatures involved are certain wild mammals, birds, reptiles, amphibians, or fish.

People v. Bowe Defendant's conviction for cruelty to animals was supported by evidence; police discovered 15 horses on defendant's property, some of which were dead and others which were severely emaciated, and two of the horses were in such debilitated state that they had to be euthanized after they were removed from defendant's property. N.Y. Agriculture and Markets Law § 353.

People v. Curcio Complaint which alleged that defendant knew his dog had a mass on her rear and that defendant did not and would not take the dog to the veterinarian for medical attention was facially sufficient in prosecution for misdemeanor of overdriving, torturing, and injuring animals, even if allegations were not complete enough to sustain a conviction; matters alleged in complaint constituted an omission or neglect permitting unjustifiable pain or suffering within meaning of the Agriculture and Markets Law definition of cruelty.

People v. Degiorgio Evidence that defendant attacked and killed 12-year-old, 18-pound dog by kicking dog while wearing boots, picking dog up by its neck and shaking it, banging dog's head against

¹ Most summaries are from or based on the West copyrighted headnotes of the New York Supplement or other West reporter.

door, and throwing dog down basement stairs onto cement floor was sufficient to support conviction of aggravated cruelty to animals. N.Y. Agriculture and Markets Law § 353-a.

People v. Doyle Appeal by the defendant from a judgment of the County Court, Rockland County, convicting him of criminal mischief in the third degree, after a nonjury trial, and imposing sentence. Evidence was legally sufficient to establish the defendant's guilt beyond a reasonable doubt.

People v. Garcia Pet goldfish were "companion animals" within the meaning of statute prohibiting aggravated cruelty to animals, and therefore defendant who stomped on a boy's pet goldfish was guilty of violating that statute; goldfish were domesticated inasmuch as they had been adapted to live in close association with humans, and they were being kept as part of boy's household. N.Y. Agriculture and Markets Law §§ 350, 353-a.

People v. Knowles Absence from aggravated cruelty to animals statute of definitions for terms "extreme physical pain" and "especially depraved or sadistic manner" did not render statute void for vagueness. The meaning of such terms was matter of common usage and understanding and expressed clear legislative intent to punish only the most serious and egregious conduct. Agriculture and Markets Law § 353-a.

People v. Maldonado Defense of justification was properly rejected in prosecution for manslaughter in the first degree where evidence adduced amply supported a finding that defendant did not have to use deadly physical force to avoid an attack by deceased.

State v. Kingsbury The term "torture," which offense was a felony in the law regarding cruelty to animals, did not include failing to provide necessary food, care, or shelter; criminal acts of torture and failing to provide necessary food, care, or shelter were separate criminal acts, were assigned separate subsections, and, as torture were punishable as a felony.

Ward v. Utah Animal-rights activist suffered injury-in-fact, as required for standing to challenge constitutionality of Utah's hate-crimes statute, even though his disorderly conduct charge, as elevated to felony under hate-crimes statute, had been dismissed, where he stated that he intended to engage in lawful First Amendment activities and feared that inadvertent infraction might be elevated to felony, and Utah had not indicated that hate-crimes statute would not apply to his activities.

Secondary source summary:

N.Y. Jur. Animals § 59²

A person is guilty of a class A misdemeanor where he or she—

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- overdrives, overloads, tortures, or cruelly beats or unjustifiably injures, maims, mutilates, or kills any animal, whether wild or tame, and whether belonging to himself or to another.
- deprives any animal of necessary sustenance, food, or drink.
- neglects or refuses to furnish any animal such sustenance or drink.
- causes, procures, or permits any animal to be overdriven, overloaded, tortured, cruelly beaten, or unjustifiably injured, maimed, mutilated or killed, or to be deprived of necessary food or drink.
- willfully sets on foot, instigates, engages in, or in any way furthers any act of cruelty to any animal or any act tending to produce such cruelty.

This law is not unconstitutionally vague. Further, this law is not a content-based restriction on speech but is a restriction against torturing animals.

Definition:

"Torture" or "cruelty" includes every act, omission, or neglect whereby unjustifiable physical pain, suffering, or death is caused or permitted.

Observation:

A person is guilty of aggravated cruelty to animals, a felony subject to up to two years in prison,[14] when, with no justifiable purpose, he or she intentionally kills or intentionally causes serious physical injury to a companion animal with aggravated cruelty.

Definition:

For purposes of the statute, "aggravated cruelty" means conduct which (1) is intended to cause extreme physical pain; or (2) is done or carried out in an especially depraved or sadistic manner.

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Seriously Gamifying Legal Learning

A proposal submitted to the Future of Legal Education Conference sponsored by New York Law School
and Harvard Law School

by

David R. Johnson and Tanina Rostain

Proposal

We propose to create a network of law schools, law professors, practitioners, law students and others to collaborate to develop and distribute interactive, online games and simulations designed to enable legal learning.

The core players in this network would distribute finished games, share information and techniques for game development, distribute authoring systems to enable non-technical authors to inject substantive content into established game mechanics, provide an online learning space in which anyone who wants to learn about law can find both free and paid interactive learning objects, and support a social layer to allow those using the games to discuss them, compete in multi-player contexts, rate particular learning objects, and propose potential enhancements.

Rationale

Games of various kinds are competing successfully for our attention because they (1) provide opportunities to overcome voluntarily chosen barriers to achieve attainable goals, (2) appeal to primal human instincts by providing positive feedback and intermittent reinforcement, (3) give users a sense that success (in reaching the game goal) is possible, but not too hard and not too easy, (4) make failure enjoyable (and thereby encourage learning from failure), (5) provide an addictive sense of triumph when a specific goal is reached, (6) stimulate competitive instincts and reward curiosity and exploration, (7) provide a compelling and concrete reason to learn the knowledge or skills required to master the game, (8) provide a gradual learning curve that provides a flow experience, (9) allow collection of points and accomplishments that reflect real attainment of the skills and knowledge that the game “teaches”, and (10) are fun.

See, e.g.: Raph Koster, *A Theory of Fun*; Jane MacGonigal, *Reality is Broken*.

But “educational games” and “serious games” have often failed to attract similar enthusiasm, mostly because they are perceived to fall into the category of “work”, are not voluntarily chosen by players, take themselves too seriously (missing opportunities to provide amusement, including amusing failures), and too often reflect the teacher’s desire to teach rather than the player’s desire to learn (or, more accurately, win the game or “level up.”) CALI lessons do provide goals to achieve, and assessment, but they mostly (not all) take the form of “teach and test”, don’t get endorsed by the faculty member at the front of the room who is going to issue the “points” that law student’s care most about (a grade that goes on a transcript), don’t have a robust social layer (no competitive or multi-player play, no robust form of “bragging rights” for those who get very good at them, and no visible impact on professional prospects).

We think the time is right to take a second look at introduction of online, interactive games (and similar “learning objects”) into law school in a systematic way. First, current technology has made it increasingly easy to develop and distribute games. Second, identification of very specific, fine grained pedagogical goals (with the focus on learning rather than teaching) makes it possible to reduce the effort required to produce a particular game substantially (making the creation of an interactive game screen or module no more difficult than coming up with a good hypothetical for a class or an exam. Third, games inherently provide formative assessment without increasing the burden on the professor to provide evaluation and feedback – the formative assessment and even some summative assessment is built right into the game mechanic. Fourth, the explosion of “app stores” has made it plausible that law students and others with reasons to learn about law will be willing and able to pay modest prices to download focused learning

games, thereby providing a new form of incentive for the authors who can create such games. (In contrast, the CALI model of fixed price institutional billing dramatically limits incentives for development of new, fun content.)

Gamification of Law School would be part of a larger push to disaggregate, and improve, a range of different kinds of activities that are now bundled into a single class or course. Consider what goes on in a traditional classroom:

1. Some of the teacher's activity involves merely imparting information (we doubt pure lecturing predominates in law classrooms, but it does occur). Real time in person classrooms have some disadvantages even for this purpose – the student may not be able to attend, may not be motivated to learn at that particular time, can't rewind the tape. Online videos do a better job, offering convenience, rewind, and links to additional materials that can't be fit into a "fixed time, variable learning" class. So, insofar as we lecture, even with powerpoint slides, that activity ought to be taken out of the classroom and done, asynchronously, online. More importantly, if the provision of information is associated with a need to learn the information to succeed at a suitably challenging game, there will be much greater likelihood of a motivated learner.
2. Some of the teacher's activity involves assessing whether students have read the material and are learning the lessons the teacher seeks to teach. Again, in any but the smallest classes, this kind of "formative assessment" is difficult. Not every student follows along eagerly when someone else is answering the teacher's question. Clickers provide some overview of whether the class is "getting it", but they are rarely used and don't offer tailored feedback plus explanation, or repeat play, to the individual learner. Again, games have the advantage. Either the player can get to the next level or she can't. When arrayed in levels of increasing challenge, games offer a real prospect of success, regular and intermittent rewarding emotions of triumph, strong motivations to learn whatever is required to succeed in the game context, and scores that meaningfully reflect mastery.
3. Some of the teacher's activity involves personalized prodding and stretching of student's minds, adjusting reactions to take account of the student's current level of understanding. But, again, in large classes, this can be done only for small groups of students actively participating in the dialogue at any given time. Games can be made more self-pacing – allowing repeat play and enabling students to select the challenges (voluntarily selected barriers and rules that stand between them and the goal of winning the game) they confront at any given time.
4. Some of what teachers do is true "summative assessment" – testing for purposes of providing a signal to the outside world (e.g., potential employers) regarding whether the student has mastered the materials. But law school exams are terrible at motivating learning by those who conclude, after first year, that they don't have much chance of coming out on top. And grading on the curve only gives a relative measure of a very limited skill (the high graders are better than their classmates at writing exams of the type the teacher rewards). In contrast, games can be structured so that achieving a particular level of success reflects real mastery and they can be set up so that anyone who achieves mastery can get a high score. No one could or needs to create a "test" that measures skills necessary to bring down a "boss" in a game like World of Warcraft – the accomplishment speaks for itself (and, some have suggested, the skills require to achieve that goal may have more bearing on success as a lawyer than whatever is tested by traditional law school exams!)
5. One important thing that teachers do (or attempt to do) in class is to communicate to the students their enthusiasm for the subject matter and the fact that they care whether or not the student learns. (See Ron Staudt, *Does the Grandmother Come with It?*) This is a critical ingredient of successful learning and teaching and it is hard to replicate inside any particular game (since, by definition, the author of a game doesn't know who will be playing it and may not have any personal relationship with the student/learner/player.) But a social layer can provide some of this encouragement – insofar as students compare their progress with other students and the group respects measured accomplishments. And the emotional reaction to progress in a challenging game can substitute an "internal grandmother" for an external one. Since we are not (yet) proposing the elimination of faculty (certainly not faculty members who care about student learning and communicate that caring), this particular disaggregated element of what happens in the classroom (and at office

- hours) might best be thought of as a core remaining activity that can take advantage of classroom time freed up by moving the other activities out to asynchronous, online modes.
6. Finally, the best teachers provide personalized mentoring and guidance to their students, not just about the subject of the course but also about important life decisions, professional values and behaviors, strategies for finding a job and networking with the rest of the profession, and so forth. We do not think that mentoring function can be provided by a game. (Though we must note that law practice simulations can help, by giving students a much better sense of what it might be like to practice in a given area, make decisions under uncertainty, face consequences from concrete application of ethical standards, and so forth). Again, our claim is that inserting games more systematically into law school learning (and, indeed, into other contexts in which those who are not law students and don't seek traditional professional credentials are nonetheless motivated to learn about law) can free up resources to do the kind of personalized mentoring that matters most.

Examples

To be clear about what kinds of games and simulations we have in mind, we will describe various games that have been developed, and deployed to students in many cases, at New York Law School. We have only just scratched the surface of potential game mechanics and do not at all claim that we have “found the answer” regarding how to do this best. Our proposal is to create the institutional and social infrastructure needed for a much larger group of game authors to collaborate. But the following descriptions of specific games will help make clear what we have in mind:

Legal Card Games – Everyone knows how to play cards. Our version challenges players to play cards onto labeled target areas (on the screen). Cards can contain factual statements or arguments or citations or anything else. Because virtual cards are discrete objects, the game software can keep track of what has been played and where and provide appropriate feedback. In some versions, the task is merely to sort facts into different categories corresponding to the elements of a cause of action. In other versions, the cards represent different types of arguments that must be fit into a structure representing the logic of a case. In still other versions, the cards represent statements that might or might not be included in a draft legal document, such as a complaint, with the final submission of the document resulting in detailed comments from the teacher/author and, you guessed it, a contingent number of points.

(Micro)Law Practice Simulations – It is easy, with text, to put the player into a “role” with a defined goal such as making a decision on whether to take a case, what advice to give a client, and so forth. There doesn't have to be one right answer, because the result of a decision can be a description of what happens next – so a game of this type can “teach” any number of things about the nuances, office politics, and accidents the student will eventually encounter in the real world. But some decisions are clearly better than others, and various decisions can produce points of various types (for ethics, client success, etc.) that accumulate over many different encounters with different situations and roles. Once put in role, a player has a strong incentive to draw on resources provided within the game (research materials, opportunities for additional factual investigation, opportunities to consult with virtual mentors and colleagues, etc.) in order to make the best decision. If drawing on resources has an in game “cost” (such as incurring virtual billable hours that may or may not be paid for by the client), even the need to limit the effort put into some kinds of decisions can be taught.

Interactive Computable Diagrams – It is possible to represent the logic of a statute or regulation (and even a judicial opinion) in the form of an interactive, computable diagram. Particular facts or conclusions or elements of the legal text can be represented by buttons that can be turned on or off to reflect the presence or absence of such a fact in a particular case – arrayed serially on a line to signify the “and” relationship, on parallel lines to reflect “or” and crossing lines that stand for “not” and show which combinations of facts or arguments defeat an otherwise valid inference. These structures can become learning games when they are used as hidden (or visible) scoring mechanisms. For example, the challenge of a particular screen in such a game may be to present a particular set of facts and ask the player to guess the outcome, which is thereafter computed by the diagram and shown to the student. Alternatively, the logic of a case may be shown along with cards representing facts or arguments the player might submit on behalf of a particular party, with the goal being to win the case against a computer or human opponent

within the constraint that only a specific number of cards may be played (with the value of particular cards depending, of course, on what situation has been served up and what moves the opponent has made).

Case Files with Augmented Multiple Choice – We need a better name for this. But our last example involves a system for presenting a complex case file, various resources (materials the student will want to learn in order to be good at the game) and the challenge of combining multiple elements into a compound structure that corresponds to a portion of a good answer to a law school exam, or a memorandum in support of a motion to dismiss a case, or whatever. The key to this game mechanic is that the player must choose, for each slot in a multi-slot target area, from all of the elements of a given type that might be used in relationship to any particular “situation” that might be presented. And, indeed, when multiple situations are presented (various proffers of evidence, various combinations of particular claims brought between various parties to a messy dispute), the student/player can choose which ones to take on at any given time (again, voluntarily selected obstacles, like deciding when to attack the dragon.) This type of game is designed to present an arbitrarily complex set of challenges without requiring the teacher/author to evaluate in advance every possible combination of “cards” that might be played together. Instead, the author identifies and assembles valid/good combinations, sets the scoring system to reward them with points by clicking on the appropriate authoring button, and tells the game to take away points for any other, invalid combinations. This discourages guessing and gets away from multiple choice tests that merely require ruling out a finite number of “distractors.” You really have to know the stuff to do well in games of this sort.

Skills Scavenger Hunt -- Not all games that lead to legal learning must be located on a computer screen. We are discussing a proposal to incentivize students to take the initiative to expand their own skills and experiences by awarding points in the context of a continuous “skills scavenger hunt”. Most would agree that students should take advantage of opportunities, while in law school, to develop skills relevant to law practice and to observe and engage with legal institutions and practitioners. We could encourage this by (1) providing an explicit listing of multiple activities, accomplishments and demonstrations that would “count” towards points, and (2) celebrating students who accumulate the most points (with the idea that those accomplishments may be listed on and would add value to their resume’s).

There are lots of other variations and game mechanics to be explored. You can use the computer timer to alter point levels depending on how long it takes for the player to make a successful move. You can make failure amusing, by pushing your virtual case train off the track with a loud crash in a civil procedure game if an appropriate response is not given to the other side’s motion. You can illustrate distribution of estates in intestacy by drawing a family diagram, killing off various sets of heirs, and asking the player to guess, under one form of distribution or another, what fraction of the estate goes to particular grandchildren. You can ask students to push defined future interests down the right pathways to fit within appropriate categories – thereby embedding the rules for such classifications deeply in their heads. And on and on – the screen can present any game you can imagine.

Getting There

While we have enjoyed our experiments in designing legal learning games, we are under no illusion that any small group of faculty could build out the full set of learning objects that might be valuably introduced. We need co-authors! We are working to make it cheap and easy and fast to create a new game of any established type and, indeed, to build new types of games. Our proposal, therefore, concerns the creation of the infrastructure and relationships that would make the creation and assignment and playing of games as common in law schools as is the redaction, assignment and reading of cases. And we believe that this partial escape from the traditional teaching in classrooms will open up legal learning to a much wider audience, including many in non-lawyer jobs that require and reward some level of mastery of legal knowledge and lawyer-like skills. How can we get there?

First and foremost, we need to find or create a place in which games can be found and shared and, in some cases, purchased, for use by legal learners on any of the platforms (computers and mobile devices) they might prefer. We think the “app store” model is a good one – not insofar as it is tied to a particular device, but rather because it provides an attractive distribution mechanism and a business model that will incentivize new authorship. The game creator should be able to set any price, including zero, and keep the

lion's share of the proceeds. An online repository of games focused solely on legal learning would have the advantage of making successful discovery of a game that achieves the learner's goals more likely. (Law isn't even a category in Apple's iTunes store). Low prices would induce some impulse buying, because the costs of a mistake would be small. User ratings would guide students to the best stuff. (Additional, professionally driven ratings could be added, as well). Most importantly, an open distribution channel would invite anyone who has a good idea for a legal learning game to make the (modest) investment in building it. We wouldn't be limited to "teaching" by faculty members. Even students or recent graduates, who may be closer to the learning experience and have a better idea about what was hard for them to master, could get into the game enabling legal learning. Traditional publishers would not solicit such authors. We have no idea who they are. But the creator of the legal learning equivalent of "Angry Birds" is out there somewhere – and, with the benefit of an "app store", she can find us.

Second, we need to develop more and better authoring tools that will enable anyone who has a clear idea about what someone should learn about law to create a new game or simulation that facilitates that learning. It is not easy to fit a learning goal to a particular game mechanic, but experimentation can produce a good answer, especially if the experiments are cheap and fast. We are definitely not thinking of the kinds of large development budgets involved in developing popular commercial games. We are not even thinking of a need to assemble teams of "content experts" and coders. To the contrary, we think anyone who wants to use a game to teach should be able to produce a game, or at least a set of materials that can be easily cut and paste into the game system, quickly and cheaply.

Third, we need a social layer for the community of those – self-selecting legal learning enablers – who want to collaborate to continuously evolve our collective understanding of what works. This can be just a portion of the social network offered to game players – since one of the goals is to turn players into authors. And it would have some relation to the ratings system that we would hope would develop.

Fourth, we need to work out the relationship, if any, between a legal learning community and both faculty teaching traditional classes and practitioners. Eventually, one might imagine that some "courses" could consist entirely of the process of playing and succeeding at a large collection of legal learning games. But that goal is a long way off. Instead, we need to find ways to encourage faculty to "adopt" or "endorse" games as appropriate materials for homework and class preparation. That will take some marketing, but may be easiest at schools that come together to found the base system and have faculty who want to make their own games. We think games provide a way for busy practitioners to share their experience and expertise with much larger audiences of legal learners. And some are suggesting that creating a legal learning game would itself be a highly educational project that might be assigned to students in the context of particular courses (In addition to taking a final exam, they would be asked to develop a game that, in effect, challenges players to take an exam the student has written. We learn best when we teach others.)

Finally, we need to figure out how to reach the potentially large audience of legal learners who are not law students and do not seek traditional legal credentials. Maybe one way to do this is to create new kinds of credentials, earned by successful game play among other things, that would add value to the learner's resume. Perhaps governments or foundations will provide support to reach K-12 and college students with new kinds of civic lessons, or to increase global understanding of intellectual property issues, or whatever. Another way forward would be to create games that are sufficiently enjoyable that they are bought for their own sake. It's a big world and there is much for everyone to learn about the law.

We invite anyone interested to play with us to realize the goal of gamifying legal learning.