



Seven Key Legal Skills for Success as a Lawyer and How to Master Them?

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Background

- studying law in five countries (Belarus, Russia, Netherlands, England, United States)
- practicing law in St Petersburg, Washington, DC and London
- teaching law in the United Kingdom, Belarus, Sri Lanka and Japan
- working for a think-tank (BIICL) and on law reform projects around the world

I was curious how to tackle

- Didactic nature of the legal education, including online
- Poor familiarity of legal educators with education theories
- Inability of higher education institutions to train lawyers ready to practice
- A deep divide between legal education and legal practice
- How to tackle an international demand for learning at scale
- High cost and limited accessibility of legal education

Unique features of legal education

- Legal education is distinct because it goes beyond learning facts and logic; it involves active participation in a learning community to develop specific legal skills.
- It combines craft, judgment, and public responsibility traditions with modern research universities.
- Unlike medical education, practical training in law begins after earning a law degree.
- The goal is to teach students to think like lawyers: applying legal procedures to translate complex situations into clarity and strategic legal action.

Challenges and global trends in legal education

- Legal education focuses on national law, but globalization is making legal skills more homogeneous across jurisdictions.
- The role of international law firms and organizations is driving convergence in legal education and practice.
- As legal services become increasingly outsourced, digital technologies and flexible work arrangements are changing how lawyers apply their skills.
- Lawyers must develop adaptive cognitive skills to keep up with evolving laws, practices, and market demands.

Uniqueness of legal education



- Focus on cognitive and professional skills more important
- Law was not a taught discipline, no need to have a degree in the UK until 1970s
- Revival of law qualification via the apprenticeship route in the UK

Today a law degree alone not enough to practice



- UK - training contract
- US - bar exam
- Law firms/clients subsidise junior lawyers who need to learn many things from scratch
- Education remains didactic, not interactive and detached from practice
- The same problem in other jurisdictions

Competence in Legal Education

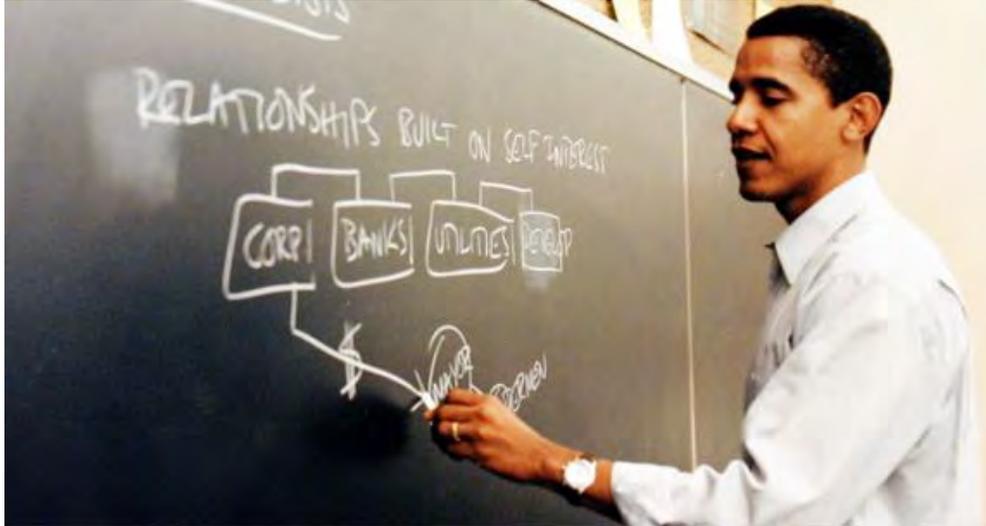
- Legal competence integrates:
 - Cognitive skills (acquiring and using legal knowledge to solve real-world problems)
 - Integrative skills (using legal and factual data in legal reasoning)
 - Relational skills (communicating effectively with clients and colleagues)
 - Affective skills (demonstrating emotional awareness and ethical behavior)
 - Competence varies by jurisdiction, with specialized exams and certifications, such as the New York Bar exam or the UK's Solicitors Regulation Authority requirements.

The role of technology in law practice



- From typesetters to computers
- Traditional law libraries - legal databases
- E-discovery and e-filing
- Online arbitration
- Outsourcing
- Artificial intelligence, lawtech startups
- According to Deloitte over 114,000 jobs could be automated in the UK legal sector within the next 20 years

Law teaching has not changed that much



- Yes, computers used for typing and legal databases
- Yes, most Western universities use VLEs such as Moodles and Blackboard
- But remains mostly didactic, detached from legal practice
- Academia and the legal profession - often two different worlds

Why not enough online technologies in legal education

- Lack of technical expertise and training
- Lack of time and incentives for academics (pressure to publish)
- Time-consuming
- Fear to be not needed?

The effect of new technologies on learning

- Offering blended degrees (Moodles, Blackboard, Turnitin)
- Offering entirely online LLM degrees
- Main law degrees in the US not taught online because of regulations
- LLB in the UK can be obtained online (e.g. University of London degree)



The advertisement features a woman with long brown hair wearing a grey scarf and listening to music on a laptop. In the top left corner, there is a red box with the text "THE JOHN MARSHALL LAW SCHOOL CENTERS FOR EXCELLENCE" and a small icon of a building. On the right side, the text "EARN AN LLM OR MJ DEGREE ONLINE— ANYTIME, ANYWHERE" is displayed in bold black and red letters. At the bottom right, there is a dark grey button with the text "LEARN MORE".

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Prof Yarik Kryvoi - Putting Legal Education into a Practical Context: The Potential of Online Learning - 6 June 2017

Challenges of online environment

- Learning is more than watching, reading and memorising
- Interaction may be more difficult to achieve in online environment compared to the “real world” environment
- Requires more formative assessments inquiring and directing thinking of students
- Discussion boards, peer feedback tools used in an online environment

Learning from the environment (Lev Vygotski)



Lev Vygotski (Belarus/Russia)

- People learn from the teacher and the environment (spontaneous and scientific concepts)
- The role of institutions is to create conditions to encourage students to engage in learning
- Skills and knowledge must be learned in context of social interaction, through discovery, communication and imitation
- Zone of proximate development

Conversational model (Diana Laurillard)



- Acquisition (reading, listening, watching)
- Inquiry (example: webquest)
- Discussion (example: taking a particular position)
- Collaboration (example: team work)
- Practice (example: drafting an arbitration clause)

Diana Laurillard (University College London, UK)

Education theory: phenomenography (Ferenc Marton)



Ferenc Marton
(University of Gothenburg,
Sweden)

- Construction of narratives
- Understanding structural levels within a text (in the broad sense, including, e.g., videos) to discern the intended meaning
- Focusing the attention of learners on what actually matters within a text
- Deep and surface approaches to learning

Textual and visual learning



Richard Meyer (University of California)

- **Dual channel learning** – learners absorb more effectively from graphics plus spoken text than from graphics plus printed text, since this distributes processing between visual and verbal channels.
- **Cognitive overload** – learners' processing capacity is exceeded, preventing them from integrating new material with existing knowledge.
- **Reducing overload** – pretraining, emphasizing keywords in speech, highlighting essential images, and presenting outlines of key concepts.
- **Eliminating redundancy** – Avoid distractions by removing unnecessary duplication of words and visuals, keeping only material that reinforces the main message.

What works in online education

- Interviewed people who took FutureLearn courses:
 - Determine the format of the video based on the subject matter
 - Invite experts who can project authority on the issues covered
 - Present material as a conversation
 - Mix different video formats while being economical with infographics
 - Present the video as a coherent narrative
 - Break videos into small chunks with clear messages and navigation

Creating an online course: learning design principles

- Motivation: intrinsic and extrinsic
- Surface and deep level learning
- Image-argument synergy
- Connecting to practice (case studies, practitioners)
- Give control over materials



Pay less in taxes



Distribute profits amongst shareholders



Reduce costs on labour



Benefit from less restrictive environmental laws



Contextualized Active Learning Adaptive Skills Model (CALAS)



Contextualized	Active	Adaptive Skills
<ul style="list-style-type: none">• Engage practitioners in teaching• Connect new knowledge to the practical context in learning narratives• Enable learners to contextualize new knowledge by connecting it to their own experience	<ul style="list-style-type: none">• Create goal-oriented exercises with feedback• Maintain learning focus in presentational forms• Guide learners to develop self-regulated learning	<ul style="list-style-type: none">• Elicit critical thinking and help connect new knowledge to pre-existing knowledge• Include learning activities aimed at practical application of new knowledge in different contexts• Guide and support the development of specific professional skills and their application in different contexts

A study to determine the skills required in legal practice

- **Study Aim**

Interviews with 10 senior practitioners (UK, US, HK, Ukraine, UAE) to identify what skills junior lawyers need beyond conventional legal education.

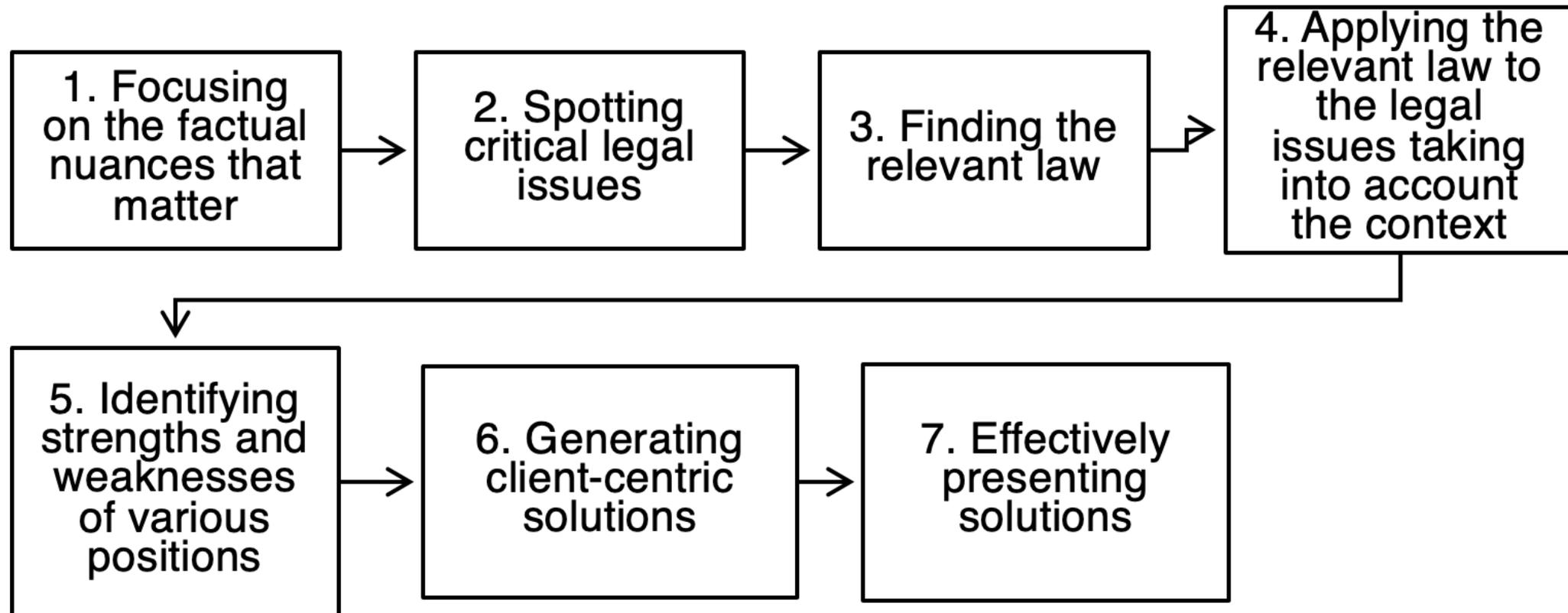
- **Research Context**

Interviews conducted in 2021 (COVID-19, remote work, online learning) → insights into law firm training needs.

- **Practitioner Perspectives**

Views converged across both transactional and dispute resolution practices; highlighted real gaps between legal education and practice.

Seven essential legal skills



Skill 1: Focusing on the factual nuances that matter

- Pay attention to small factual variations that can change the legal outcome.
- Balance **detail-oriented diligence** with the **strategic big picture**.
- Learn to identify which facts courts, tribunals, or counterparties will consider decisive.
- Combine **macro perspective** (overall strategy) with **micro rigour** (key details).

Skill 2: Spotting critical legal issues

- Distinguish **essential vs. non-essential** issues in complex situations.
- Develop the ability to identify “**what the real issue actually is**” early.
- Foresee potential issues that may arise during transactions or disputes.
- Recognise factual patterns that trigger specific legal norms.

Skills 3: Finding the relevant law

- Lawyers are valued for their ability to **find** law, not memorise it.
- Law evolves rapidly; multiple legal systems often interact.
- Criticism of closed-book exams – real practice requires **research, not recall**.

Skill 4: Applying law in the relevant context

- Go beyond “law on the books” to **commercial and practical realities**.
- Understand client background (industry, government, investor).
- Legal arguments must work in **real-world scenarios**, not just in theory.

Skills 5: Identifying strengths & weaknesses of legal positions

- Analyse legal issues **objectively**, but capable to defend multiple viewpoints.
- Assess **risks vs. benefits** of different approaches.
- Tailor perspective depending on role: lawyer, judge, regulator, client.

Skill 6. Generating client-centric solutions

- Move from identifying issues to **problem-solving**.
- Provide **creative, strategic, timely** solutions.
- Focus on **mitigating risks** and protecting client interests under pressure.

Skill 7: Effectively presenting solutions (advocacy)

- Advocacy = **communicating solutions clearly and persuasively.**
- Written skills: drafting memos, pleadings, contracts, correspondence.
- Oral skills: framing arguments for tribunals, clients, regulators.
- Avoid overly theoretical writing – focus on **clarity, persuasion, professionalism.**
- Common gap: new lawyers often lack **strong advocacy and drafting abilities.**

Legal skills and learning design actions

<p>1) Focusing on the factual nuances that matter</p>	<ul style="list-style-type: none">• Explain what facts the court or tribunal is likely to consider when deciding on a particular topic.• Identify the most critical facts that will determine the applicability of a specific legal norm.
<p>2) Spotting critical legal issues</p>	<ul style="list-style-type: none">• Correctly identify as many as possible relevant legal issues <u>in a given case</u>.• Ask the participants to distinguish between essential and non-essential matters <u>in a given case</u>.

Legal skills and learning design actions

3) Finding the relevant law	<ul style="list-style-type: none">• Find online a domestic law, a treaty and an academic article relevant to a specific topic.• Cite legal sources following a particular legal citation style (e.g., OSCOLA).
4) Applying law in the relevant context	<ul style="list-style-type: none">• Design narratives and questions that require students to <u>take into account</u> the broader context, including commercial, cultural and political considerations.• Identify the elements of the context, which will affect their answers.

Legal skills and learning design actions

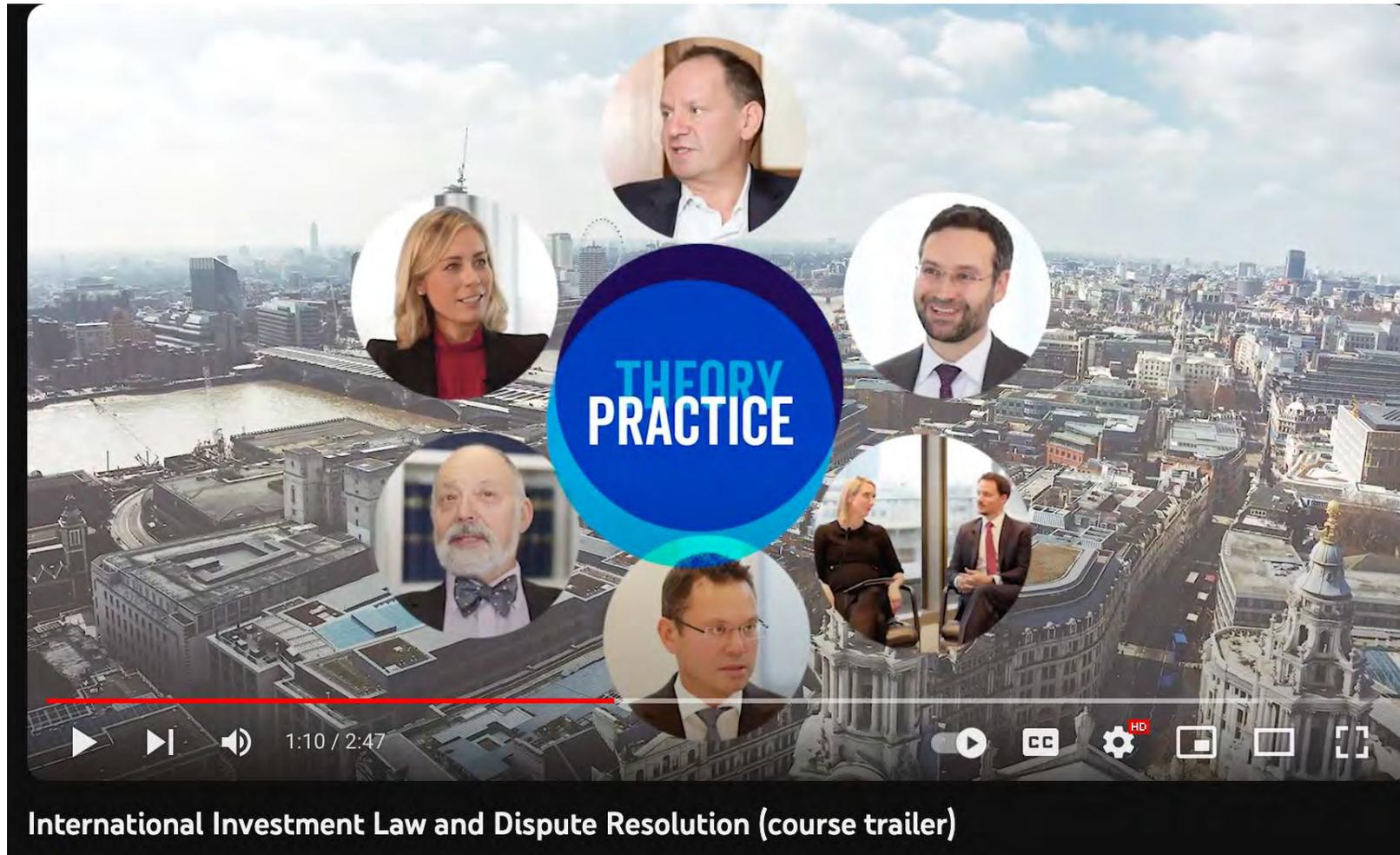
5) Identifying strengths and weaknesses of various positions	<ul style="list-style-type: none">• Identify strengths weaknesses and of positions of each party engaged in a dispute.• Prepare arguments favouring only one side.
6) Generating client-centric solutions for actual and potential problems	<ul style="list-style-type: none">• Come up with different theories to justify or resist a particular claim given the client's need.• Explain the risks of different approaches and how to mitigate them.

Legal skills and learning design actions

7) Effectively presenting solutions (advocacy skills)

- Draft answers to questions in a clear and professional language, guided by an example (letter, memorandum, claim).
- Prepare an oral presentation addressing a particular legal issue for a specific audience (tribunal, client, other party).

International Investment Law and Dispute Resolution





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Yarik Kryvoi



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Opening keynote: Arbitration and Environmental Disputes

On Monday, 16 June 2025, Professor Tomoko Ishikawa from the University of Nagoya delivered the opening address of the 2025 London Summer Arbitration School. The keynote was devoted to arbitration of environmental disputes. It was moderated by Prof Yarik Kryvoi and Prof. Anna Petrig. The video of the keynote is now available online. With growing [...]

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