An Exploration of the Modes of Graduation Theses for Law Undergraduates in Local Colleges and Universities - Case Judgment Mode

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ABSTRACT

This article mainly analyzes the shortcomings of graduation thesis of law undergraduates in local universities in our country, analyzes the thesis mode of law students in local colleges and universities. This article analyzes and interprets the connotation of the dissertation model of law undergraduate and explores its true origin.

KEYWORDS
Local colleges and universities, law; graduation thesis, judgment mode.

INTRODUCTION

With the advent of the new century, the reform of the talent model has always been the high voice of the education sector. In the past two decades, our country has respected the transformation from formal education to quality education except adhering to the education policy of "a hundred years and education oriented" education reform concept. Undergraduate thesis is to test undergraduates in the university within four years of learning obtained by the learning ability, way of thinking, and the overall quality of the main basis. Therefore, with the development of education in our country, the major of jurisprudence (law) has also developed rapidly. From the previous law major of politics and law of the subordinate universities and colleges of law, gradual development has been made too many local higher education institutions. This paper mainly investigates the status of undergraduate theses of jurisprudence (law) in local institutions of higher learning, and excavates its shortcomings. At the same time, it explores the thesis mode.

LAWSGRADUATIONPAPERINLOCAL COLLEGES AND UNIVERSITIES AND THE CURRENT SITUATION OF THE RESEARCH.

According to incomplete statistics, there are more than 650 law major colleges and universities in China in 2015. Many colleges and universities that did not have a law major before this year also re-established their law major with the development of society and the need of education reform. With the increase of the number of universities and the limited number of admission to traditional politics and law universities, the choice of non-government and local law students in law schools is not a new phenomenon for many people, and the influence of them is more influenced by...
the rule of law as well as their own understanding of the law. In recent years, with the promotion of governing the country according to law, more and more students choose to study law in non-political and legal places in local universities. According to the survey, the percentage of non-governmental and non-governmental legal colleges in different regions increased year by year.

However, there is still a certain gap in professional standards among non-political and legal local law graduates of higher learning institutions and those specialized in politics and law. These gaps show to varying degrees the following aspects: first, there is a gap in the level of teaching staff; second, the curriculum and training system are irrational; third, the implementation of syllabus and teaching objectives is not in place; fourth, the legal culture of the campus the atmosphere is not enough; Fifth, the school legal departments and social law practice departments lack of contact; and so on.

Non-governmental and local laws and regulations of local jurisprudence (law) undergraduate thesis in the status quo are mainly as follows: the teacher proposed topics, students collect data, the preparation of the syllabus compilation, so rigid result is the result of student copying, wasting time and Energy, leading to poor evaluation of law education in colleges and universities, eventually leading to avoid learning. The concrete manifestation is as follows: "The students establish contact with the instructor according to the selected topic, cooperate with the instructor to complete the thesis writing within the time and procedure stipulated by the school, but on the quality status quo of the jurisprudence (law) undergraduate thesis: In formal terms, the format of the reference document is not standardized. Where the reference document is in the body of the essay, the average student can correctly label it only when the tutor has repeatedly modified it; the references and annotations are not distinguished; the punctuation characters are not normative; Typos, paper typesetting, font size, fonts, and regularity are all common problems. Seeing out the content, general jurisprudence (law) undergraduate thesis has the following problems: (a).How to summarize the summary of uncertainty, why the key word is unknown; b).Structure - like textbooks, there is no problem awareness, common papers only on the basic theory of propositions, or knowledge points to do a general review or introduction, no depth and innovation at all; c).Inadequate proof of logic, the lack of inherent strict logic, reflected in: First, from theory to theory, the lack of necessary and sufficient evidence of cases and figures; second is the reference to analyze the legal provisions, the basic principles of jurisprudence inaccurate; third is the material A lot, but poor material selection and organization, lack of careful rigor logic. d). Introduction and conclusion improper writing. Some essays are rather large in length, but rather in large part, but do not have much to do with the dissertation. They did not play a good role in guiding
this theory. Some of the dissertation did not meet the writing requirements. There is no conclusion, no tail, cannot be complete and accurate expression of their research results or results."

To sum up, in order to explore the main status quo of the dissertations mode of jurisprudence (law) major in non-political and legal colleges and universities, it is also the lack of experience in training of law major students in non-political and legal local colleges and universities. If more emphasis is placed on the cultivation of competencies in practical education rather than on perceptual teaching, undergraduate law students in non-political and legal institutions of higher learning may not only have considerable legal qualifications, armed themselves, and many legal problems in reality can be resolved by law.

Therefore, scholars in our country have carried out many macroscopic researches on law education in our country. However, there are not many researches on how to position and reform the graduation thesis for jurisprudence (law) undergraduates. At present, Mainly include: Dr. Wang Tao of Hebei University of Economics and Business, "Research on the Training Mode of Jurisprudence (Law) Undergraduate Dissertations under the Objective of Judicial Practical Ability Training", Wuhan Teacher Liu Jing's Reform and Exploration on the Mode of Defense Response to Jurisprudence (Law) Undergraduate Thesis Writing," Harbin Normal University, Associate Professor Mei Yi" guide mode to enhance the jurisprudence (law) undergraduate graduation design validity research", Southwest University of Political Science Dr. Cai Ying" jurisprudence (law) undergraduate thesis research "and so on. They all agree that the traditional jurisprudence (law) undergraduate thesis emphasizes on the angle of legislation, adopts the textbook style of explanation, and belongs to the superficial argument of the military. Their proposed reform models are: First, the mode of judicial application. Training objectives focus on the application of the law, the outcome of the case to adopt a case study mode. Second, the analog court style. That is, through the simulation of the re-design of the court, role-playing, analysis of their own feelings and experiences, elaborate on existing problems and suggestions. Third, the series, integrated mode. The author believes that the above three models have the consciousness of strengthening practice. However, some reform modes (such as serialization and integration mode) do not fundamentally abolish the drawbacks of traditional passive collection and plagiarism of students. In addition, the gap between education and teaching is too large. It may not be feasible for undergraduate law students, or the investment in practice is huge. The existing university faculty and facilities are not competent. Only the mode of judicial application is of practical significance in the status quo of legal education in non-political and legal local colleges and universities in our country, but some modes of operation still need to be studied. Head and tail cannot be complete and accurate expression of their research results or results."

CONNOTATIONS AND FEATURES OF CASE JUDGMENT MODE OF LAW UNDERGRADUATE THESIS.

The case judgment mode refers to the legal (undergraduate) graduates of jurisprudence (law) by combining their own thesis and judicial practice in our country, choose the court case as the subject of their own thesis, the judicial interpretation of the reasoning mode is applied in the jurisprudence (law) undergraduate thesis model,
the paper analyzes and elaborates the legal knowledge involved in the classic cases in the court decisions, and at the same time elaborates on the frontier issues related to the legal knowledge theory involved in the case and finally forms the legal theory and case examples Combination of legal knowledge analysis and cutting-edge research thesis. This model aims to explore the thesis guidance mode that is close to the judicial practice and eradicates the undergraduate education of the traditional jurisprudence (law) in order to mobilize the subjective initiative of jurisprudence (law) undergraduates and link the thesis closely with other education and teaching, to explain the law, the judicial application of the soul, the reform of the traditional graduation thesis system.

The case judgment mode mainly includes the selection case, the simulation trial, and the analysis of the application of the law, the elaboration of the relevant legal knowledge, the frontier discussion and other steps. On the one hand, emphasizing on the specific case as the center, the graduates are required to read the case from the perspectives of plaintiff, defendant, judge and other roles, and apply the theory of jurisprudence to analyze and solve the problems existing in the case, demanding highly practical and purpose, to effectively avoid the tendency to deviate from the actual play to exercise the practical application of the purpose of students. On the other hand, combining the case analysis with the forefront of legal knowledge, this article breaks through the pure abstraction on paper and allows students to discover problems, analyze problems and solve problems through court adjudication process, which greatly improves students' professional qualities. Its core elements are mainly reflected in the following two aspects:

First, simulate the trial. The moot court in law teaching has become an important teaching link to improve the students' ability of legal practice. The moot court in the daily teaching links is characterized by vocational training of the law so that the students can adapt themselves to the role conversion. However, different from teaching practice, in the case dissertation mode of dissertation, besides the court procedure, the more important is the substance of legal substance:

a). The law applies the perspective. Case judgment mode requires students to put their own respectively on the original defendant attorney, the judge's point of view respectively analyze the facts of the case. It finds the clues of the application of law, the application of law and the legal interpretation of the problem.

b). Applicable law and logical reasoning. Case judgment mode, focusing on the interpretation of the court's decision, the core of the court decision is the legal application of the case and reasoning process.

Second, the case law sums up. Completion of the case judgment reasoning does not mean that graduation thesis has been completed; students must expand their analysis of relevant legal knowledge and summary, on the other hand, to enable students to learn more and study the frontier of legal knowledge, so that students deepen to improve Legal Practice Skills and Modern Legal Quality. Extensive analysis and summarization of related legal knowledge mainly includes the following types:

a). Commentary. This type of students should conduct an in-depth anatomy of the legal application of the case, analyze the elements of law application in detail with the factual facts of the case, and evaluate the problems existing in the court judgment and the original defendants' case analysis. Finally, affirmative achievements, pointed out the shortcomings, summed up the improvement to enhance students' legal practice skills.
b). Analytical. Students dig a legal point in the case, focus on the problem, and then analyze the problem, combined with the professional in-depth discussion, put forward solutions, the last of the legal knowledge involved in the study of the development at home and abroad. This type not only examines the student's ability to analyze and solve problems, but also emphasizes the concept of innovation, requiring students to have innovative thinking, the overall higher requirements for graduates.

SUMMARY

Undergraduate thesis is an effective way to comprehensively utilize the professional knowledge ability and is also an important symbol to measure the level of subject education. The case judgment mode mainly includes the selection case, the simulation trial, and the analysis of the application of the law, the elaboration of the relevant legal knowledge, the frontier discussion and other steps. On the one hand, emphasizing on the specific case as the center, the graduates are required to read the case from the perspectives of plaintiff, defendant, judge and other roles, and apply the theory of jurisprudence to analyze and solve the problems existing in the case, demanding highly practical and purpose, to effectively avoid the tendency to deviate from the actual play to exercise the practical application of the purpose of students. On the other hand, combining the case analysis with the forefront of legal knowledge, this article breaks through the pure abstraction on paper and allows students to discover problems, analyze problems and solve problems through court adjudication process, which greatly improves students' professional qualities.

The proposal and construction of case judgment mode of law undergraduate thesis has made tentative exploration on the reform and innovation of law dissertation mode, and also pointed out a direction for cultivating new type of legal personnel.

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REFERENCES