

# Research on the Application of Case Teaching in Evidence Law Teaching from the Perspective of Evidence Law

Liu Shenshi

Liaoning Police College, Dalian, Liaoning, 116036, China

**Keywords:** Jurisprudence of Evidence, Teaching Case Teaching Method, Teaching Application Research

**Abstract:** with the progress of modern science and technology and the development of education, the application of teaching media in teaching is becoming more and more necessary and feasible. Evidence law is a highly applied legal discipline, and the application of case teaching method in its teaching is more advanced, applicable and scientific. As a unique teaching method, case teaching method can effectively combine evidence method. Law education, especially the education of evidence science, is different from other social science education methods. It has strong practicality. It needs to cultivate students' legal theory, establish their legal thinking, and improve their logical analysis ability. Therefore, the traditional rigid education model can not meet the teaching purpose and requirements of evidence science, so case teaching method has become the first choice in the teaching of evidence science. The purpose of this article is to explore actively through teaching methods in order to improve the quality of law education and achieve the goal of quality education. Help students to form correct evidence concepts and improve their practical ability to analyze and solve problems, and understand the practical significance and characteristics of their evidence law and case law.

## 1. Introduction

In recent years, a series of criminal misjudged cases that shocked the whole country have been disclosed one after another, no matter whether it is the huapeiwu case that was corrected because the real culprit was arrested. Or because the real killer also repented and voluntarily surrendered in the hugelertu case; or because the victim came back from the dead and got w exonerated yu xianglin's case and so on, all call a person to deeply reflect on the causes of criminal misjudged cases while lamenting the soul of unjust death and the passing years [1]. Since the 1990s, the academic circles of our country have started to study the problem of misjudged criminal cases. However, most scholars tend to study the problem of accountability in the trial process after misjudged criminal cases occur, especially in the individual trial process of the fagong. However, they ignore that the more essential reason for misjudged criminal cases is not completely attributed to the final judicial trial stage [2].

“evidence law” is generally set up in the fourth semester of criminal investigation technology major of judicial police higher vocational college. It requires students to first study the basic courses of law, criminal procedure law, civil procedure law and administrative procedure law, which is the continuation course of procedural law [3]. This course is specialized in the study of evidence theory and legal norms in litigation, and highly combines theory learning, practical operation and ability training. Its knowledge points not only cover the contents of evidence rules in the three procedural laws, but also involve the contents of criminal law, civil and commercial law, administrative law, economic law and other legal departments, forming a system of its own [4]. Therefore, it is a discipline with strong theoretical and practical application. In order to help students form a correct concept of evidence and improve their practical ability to analyze and solve problems, teaching methods are an important link that cannot be ignored [5]. In the current evidence law, the traditional indoctrination teaching method has strong theoretical and informative content. We think it is reasonable and necessary to exist, but it is blindly taught in a crammed and full-fledged manner. Pay attention to the subjective status of students. It is difficult to cultivate the so-called preaching

and teaching in a one-way manner. It is difficult to cultivate students' ability to analyze and solve problems, especially for comprehensive subjects such as law, which are theoretical, applied, and practical therefore, it is imperative to strengthen the heuristic teaching reform teaching method while absorbing the reasonable points in the traditional teaching method while combining the teaching content of the course content [6].

## **2. Case Teaching Method and Its Characteristics in Evidence Law**

### **2.1 The Scope of Knowledge Covered is Extensive and the System is Interlaced**

Case teaching method is a teaching method adopted by Randall, a professor of Harvard Law School in 1872. Case method of law refers to a kind of teaching method that students, on the basis of mastering certain legal theoretical knowledge, analyze, think and study the cases in judicial practice, and put forward the methods to solve the problems, so as to cultivate the comprehensive application ability of law knowledge and the ability to deal with practical problems [7]. Modern teaching media is a tool that uses modern technology to store and transmit teaching information, including electroacoustic, electro-optical, film and television, computer, etc. As a teaching medium to transmit teaching information, the application of various modern teaching methods enriches the perceptual knowledge content, vividly and concretely materializes the abstract rational knowledge points, overcomes some shortcomings of traditional teaching methods, and expands and improves people's sensory functions. With the development of teaching reform, the positive role of modern teaching media in classroom teaching has been paid more and more attention by educators. But at the same time, we should also pay attention to whether the traditional teaching methods or modern teaching methods should be used in classroom teaching to follow the teaching rules and grasp the principles of application, otherwise it will be counterproductive. In classroom teaching, we must combine the characteristics of the disciplines taught, teaching objectives, teaching content, and student characteristics with appropriate and flexible application of modern teaching media, that is, adhere to the principle of pertinence. Their training goal is "professional talents with moderate basic theoretical knowledge, strong technical application ability, broad knowledge and high quality", that is, application-oriented talents that meet the needs of society. In the classroom teaching of evidence law, we choose to apply teaching media around the teaching goals, the intuitiveness and abstractness of the teaching content itself. There is no obvious way to visualize the abstract principles and phenomena. Appropriate use of a vivid video or A diagram can facilitate the understanding of concepts, and mastering these basic theories is crucial for students to form the correct idea of evidence [8]. For example, when teaching one of the principles of evidence law, the principle of direct words, the comparison between material evidence and documentary evidence, the qualification of witnesses, the rules for deciding indirect evidence and other knowledge points that students reflect are boring and abstract, we immediately quoted vivid and real case videos from legal columns such as "court trial scene" and "front line" of CCTV to show students and organize students to discuss, which is more effective than a single language.

### **2.2 Students Are Required to Have Strong Comprehensive Analysis Ability**

The teaching content of "evidence law" originates from and goes beyond the three procedural laws. It has a certain theoretical depth and the learning content is relatively complex. In the face of evidence problems in different cases, flexible control is required, especially in the discrimination and classification of evidence types and the application of evidence rules, which requires specific analysis of specific problems, and this requires higher comprehensive judgment and analysis ability of students. As a base for training high-quality skilled judicial police, higher vocational colleges of judicial police should pay special attention to the training of practical police legal skills in the teaching process, and combine theoretical knowledge with practical cases to solve problems in police practice. Therefore, it is urgent to promote case teaching mode in the teaching of "evidence law". In The Law of Evidence, relevant theories about the rules of evidence, types of evidence, and collection and use of evidence are derived from practice. As a scholar said, "Every rule is actually a

summary of stories in life.” It is one of the effective ways to integrate theory with practice in law education. It can make students feel the close connection between law and themselves naturally, improve their initiative and enthusiasm for learning, and allow students to contact, analyze and summarize cases. Shorten the distance between theory and practice to enable students to learn and use knowledge through case practice. At the same time, it can also cultivate students' practical ability to analyze and judge evidence and solve complex case problems, and even exercise and improve their innovative ability, logical thinking ability and language expression ability, etc., in order to prepare for practical police work in the future.

### **3. The Significance of Applying Case Teaching in “Evidence Law” Teaching**

#### **3.1 Practical Application of Case Teaching Method**

Cases in the legal sense include jurisprudence and guiding cases, which refer to precedents that have been judged by the court to have legal effect or a summary of case handling, trial, academic research, and teaching guidance. They should have specific writing standards and can be used for legal teaching purposes. Real cases that serve and achieve a certain teaching effect. The teaching method of applying cases to teaching practice can be simply understood as case teaching. The case teaching method can be used in different ways for different students and courses. Some are to throw the cases to the students and then teach the theory; some are to explain the course content and then propose cases and analyze them to deepen the students' understanding of what they have learned. Understand and digest [9]. Teacher preparation. The case teaching method has very high requirements for teachers' preparation before class, which includes both the mastery of textbook knowledge and the careful selection of cases. Preparation for students. The case teaching method requires students to have the ability of comprehensive analysis and comparative research, so it is more suitable for senior undergraduates and graduate students. Teachers should ask students to have a preliminary preview of future courses before teaching. In the process of case explanation, case information is mostly transmitted to students through oral presentation or multimedia slide show. In order to avoid the distraction caused by sensory fatigue such as vision and hearing, the selection of cases should be based on short and medium stories, the content structure should be detailed and appropriate, and the necessary long cases can be played by video, audio and other ways. Because the purpose of case explanation is to point to the specific principle of evidence method, the selected case should have a relatively standard answer, so as to avoid the situation that the answer of students' thinking is reasonable, but deviates from the content that the teacher wants to teach, thus causing teaching failure. Case exercise is the most interactive and time-consuming method in case teaching, so it is necessary to ensure a spacious exercise venue and sufficient exercise hours. Before class, the teacher must make scientific preparation, patient selection and careful arrangement for the scenario of the sitcom or the case scenario of the simulation exercise. Students should also be fully prepared before class. They must consult relevant materials, collect information, understand the case background, and be familiar with the drill process.

#### **3.2 Teaching and Application in Class**

When applying modern teaching media in classroom teaching, it is necessary to grasp the diversity and moderation to prevent randomness, that is, to adhere to the scientific principle. Psychological research has shown that a single stimulus is prone to fatigue. Appropriate use of multiple methods to mobilize students' sensory participation in teaching, Can improve students' enthusiasm for learning. According to the constructivist learning environment theory, multiple representations of knowledge are conducive to students' acquisition and use of knowledge, and making full use of multiple forms of teaching resources is one of the effective ways to make knowledge have multiple representations. The development of science and technology also makes the organic combination of various forms of teaching methods possible. For example, when we teach the principles of evidence judgment and direct speech, we not only use the way of watching video, but also organize students to study in the simulated court room in the way of simulated trial,

so that they can understand the relevant knowledge easily and deeply. At the same time, we should also pay attention to the appropriate use of modern teaching media, grasp the scientific nature of the application, not to use randomly, not to abuse. When applying modern teaching media in classroom teaching, we must grasp the relationship between teachers and students, and people and machines, that is, we must adhere to the principle of teacher-student synergy. The teaching process is the unified process of students' understanding of human knowledge and experience under the guidance of teachers and the transformation of the subjective world and the formation of harmonious development of personal interaction practice activities. It is the most basic relationship that runs through the entire teaching process. That is the relationship between teaching and learning, teachers and students. Always adhere to the guidance of teachers and the subjectivity of students. In the process of teaching, we should respect the law of human cognition. Teachers should put themselves in the right position. Teachers are only guides. Their purpose is to preach and solve puzzles. Therefore, they should pay attention to the acceptance of students, stimulate their initiative and make them the main body of the classroom. Example teaching doesn't pay attention to whether we can get the right answer, but we should pay attention to the process of reasoning and reasoning. It should make students have a sense of being on the spot, analyze what the case is, what evidence is there to prove, whether the court will ask questions, whether the other party will put forward opposite evidence, how the judge will respond to it, etc., which are used to exercise students' ability, rather than to publish an answer to them. At the same time, any student has the right to retain their own views, which will produce the impact of ideas and the light of wisdom.

#### **4. Conclusion**

Practice has proved that only by combining case teaching with other emerging modern teaching methods and information-based teaching methods, and using platforms such as WeChat, video booths, closed-circuit television systems, and interactive network systems to build a multi-channel comprehensive teaching model, can the “evidence” The “Law” course is full of vitality and vitality to ensure that classroom teaching achieves ideal results. In short, in the practice of teaching reform, we should realize that any teaching medium is not a panacea. Modern teaching media and traditional teaching media have their own unique features. Only by following the teaching rules to promote strengths and avoid weaknesses, modern technology is appropriately added to traditional teaching methods. The content gives new vitality to the traditional teaching media, and organically absorbs the positive factors of the traditional teaching methods in the modern teaching media, so that the modern teaching media can play a more distinctive role, so as to better achieve the teaching optimization goals and further promote the modern teaching reform and practice. pace. Modern case teaching and traditional classroom teaching methods have their own characteristics. Cases do not completely replace the study of systematic theory. Therefore, we should stick to the teaching content and strengthen heuristic teaching, select which knowledge points are more suitable for case teaching, make case analysis subject to the teaching content and purpose, make case analysis a benign carrier of systematic study of legal knowledge, and make case teaching method play an active role in realizing the ultimate goal of law teaching education.

#### **References**

- [1] Zong Bo. Discussion on the Application of Legal Clinic Education in the Teaching of Evidence Law. *Journal of Nanchang Teachers College*, 2016, 37 (4), 82-86.
- [2] Wu Xiaoyi. Analysis of the Evidence Law of Prison Detectives and System Improvement--Reflection from the Perspective of Zhang Hui and Zhang Gaoping. *The Journal of Political Science and Law*, 2016, 33 (4), 40-48.
- [3] Li Jiandong. Reflections on the Teaching Reform of Evidence Law Practice in Public Security Colleges. *Journal of the Railway Police Academy*, 2015, (6), 123-128.
- [4] Li Weiyong. On the Obtainment and Adoption of Evidence in the Process of Objection to

Tenders from the Perspective of Evidence Law. *China Tendering*, 2016, (39), 22-25.

[5] Wu Hongqi. (2016). Interdisciplinary Research in Evidence Law: Challenges and Responses. *Peking University Law Review*, 2016, (1), 16-35.

[6] He Bangwu. Research on the Genealogy of Modern Evidence Law Knowledge: Intention, Method and Approach. *Searching*, 2015, (2), 96-102.

[7] Yao Li, & Xiansen. Constructivist Perspective: Research on the Teaching Model Reform of Evidence Method. *Journal of National Institute of Education Administration* (2010), (04), 70-74.

[8] Sui Ye. A Preliminary Study on the Teaching Method of Evidence Law. *Journal of Scientific Teaching (Mid-Term)*, 2010, (07), 48-49.

[9] Chen Hong. Teaching application of action-oriented method in the course of evidence method. *Journal of Shayang Teachers College*, 2010, (05), 70-72.