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Street Legal Clinic: Development of Legal Learning Methods Based On Clinical Education in Law Education Institutions

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Abstract

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Clinical Legal Education is an interesting subject to be developed at the Faculty of Legal, Universitas Udayana. Unlike other subjects, clinical legal education participants get an education in the classroom and go directly to the field (community) to increase students' knowledge and practical abilities in solving problems in society. The purpose of



writing this journal is to find out how the form of clinical education-based learning, especially in the form of Street Legal Clinic at the Faculty of Law, Universitas Udayana, and to find a model for developing learning methods based on clinical legal education in the form of street legal clinic that can answer legal problems that develop in society. More optimally, the author uses normative legal research methods with the statutory approach and conceptual approach. The results showed that the form of the clinical legal education which is implemented at the Faculty of Law of Universitas Udayana consisted of three stages of the process, namely the planning component, the experiential component, and the reflection component with the learning models that had been used so far, namely In House Clinic, Out House Clinic, Combination and Street Legal Clinic. The development model suggested in implementing the Street Legal Clinic is to be more optimal in answering problems in the community, namely by accommodating several stages in its implementation, namely the pre-implementation, implementation, and evaluation stages into a single unit that is packaged creatively and comprehensively in collaboration with Clinical Partners.

A. Introduction

Indonesia as a nation has national goals stated in the Constitution of the Republic of Indonesia, namely the 1945 Constitution of the Republic of Indonesia. The national objectives are contained in the opening section of the fourth paragraph of the 1945 Constitution of the Republic of Indonesia to educate the nation's life. Educating the nation's life is the State's responsibility in the field of education. National education has a function to develop capabilities and to create a dignified national character and civilization. National education aims to develop supayana students' potential to become human beings who believe and have faith in God Almighty, have a noble character, are healthy, knowledgeable, creative, independent, and become democratic and responsible citizens. *The United Nations*

Educational, Scientific and Cultural Organization (UNESCO), as a United Nations organization engaged in education and culture, has launched four education pillars. The four pillars cover: *learning to know, learning to do, learning to be dan learning to live together*.¹ The application of these four pillars is felt to be very important in facing the era of globalization and the industrial era 4.0, which demands innovation and strengthening Indonesian people's character to be able to compete globally.²

In the Higher Education environment, current Indonesian education must be oriented to the competencies needed by the world of work or the world of business and industry. Therefore, students must be equipped with the skills or competencies needed following the development and or changing times. In the legal education segment itself, in responding to the needs of the world of work, universities are currently very much directed towards providing broad access to the development of student abilities in practical aspects beyond the mastery of the theoretical aspects obtained in lecture classrooms. Currently, learning in classrooms is considered insufficient because it can only provide knowledge substantively to students. Higher education curriculum (especially the Faculty of Law) is required to provide opportunities for students to practice applying what they know from the classroom. The opportunity to apply is not only for applying skills and knowledge but also the opportunity to apply the values learned from the lecturers, especially the values of honesty, anti-discrimination, social justice, and integrity. Law higher education aims to produce graduates who will later enter the world of work. To compete in the world of work, at least prospective law graduates must be equipped with two hard skills and soft skills.³ The Faculty of Law is expected to have a law laboratory that can be used as a medium for law faculty students to develop good practical skills to avoid dirty practices in the practical world.⁴

Legal education in Indonesia has received attention from the public, especially about Law Faculty graduates who are deemed incapable of practicing their knowledge in the world of work. This is, of course, related to the legal education system in law faculties in general in Indonesia.⁵ This education system is primarily a method used in the teaching and learning process. Memorizing (memorizing) is still a method generally used by students in studying subject matter in law faculties. Meanwhile, teachers in general still use the lecturing method to transfer knowledge to their students. These methods impact the ineffectiveness of the teaching and learning process, resulting in the minimum ability of students to understand legal materials and, in the end, are unable to apply their knowledge to solve legal problems. Trying to answer this criticism of legal education in several Law Faculties in Indonesia with clinical legal education. Clinical Legal Education is a legal education perspective that views that it is essential to provide opportunities to learn about the knowledge, skills, and values in practicing law in the legal education curriculum. Pedagogically, clinical legal education prepares students to be skilled in legal practice, think critically, and take responsibility for

¹ See UNESCO Education Strategy 2014-2021.

² SIGIT DWI LAKSANA, "INTEGRASI EMPAT PILAR PENDIDIKAN (UNESCO) DAN TIGA PILAR PENDIDIKAN ISLAM," *Al-Idarah: Jurnal Kependidikan Islam* 6, no. 1 (June 1, 2016), <https://doi.org/10.24042/ALIDARAH.V6I1.789>.

³ Sahnan Sahuri Siregar and Otong Rosadi, "PENDIDIKAN KLINIK SEBAGAI INSTRUMEN PENTING DALAM PEMBAHARUAN PENDIDIKAN HUKUM DI INDONESIA," *UNES Journal of Swara Justisia* 3, no. 4 (January 15, 2020): 372–89, <https://doi.org/10.31933/UJSJ.V3I4.124>.

⁴ Ismail, M. (2006, December). Kurikulum Pendidikan Hukum Dalam Perspektif Kebutuhan Pasar. In Disampaikan Dalam Seminar Dan Lokakarya Pengkajian Kurikulum, Yang Diselenggarakan Oleh Fakultas Hukum Universitas Islam Indonesia, Pada Tanggal (Vol. 23), pg.5.

⁵ Nurul Huda et al., "Asesmen Terpadu: Penerapan Restorative Justice Penanggulangan Kejahatan Narkotika Di Indonesia," *Jurnal Ilmiah Kebijakan Hukum* 14, no. 1 (March 27, 2020): 111, <https://doi.org/10.30641/kebijakan.2020.v14.111-124>.

their actions. Students are trained to be aware that every action and suggestion as a legal expert will affect clients and society. Thus all suggestions and actions must be thought out and implemented with careful consideration.

The process of legal reform in Indonesia requires a legal clinic program accompanied by curriculum development to produce students who know practical skills and values to realize legal services and social justice. Universitas udayana, through the Faculty of Law of Udayana University itself, has started to establish a Legal Clinic Course in 2013 by focusing on several legal issues, especially the Civil, Criminal, Anti-Corruption and Environmental segments (Civil, Criminal, Anti-Corruption and Environmental Legal Clinic). In its later development to respond to the community's needs in 2016, 2 (two) additional legal clinics were formed, namely the Contract Design Legal Clinic and the Regional Legal Product Design Legal Clinic.

In carrying out duties and functions in higher education as stipulated in the National Education System Law, the development of learning methods is one of the duties and responsibilities of lecturers who enter the education segment within the *Tri Dharma Perguruan Tinggi*. At the Faculty of Law, Universitas Udayana, especially in the Legal Clinic Course, educators are given a vast space for innovation to develop learning methods both in terms of stages and models offered in clinical implementation to be able to realize the ideal goal of establishing a legal clinic, namely to provide public services (and realizing social justice. Especially for the implementation of one of the clinical models, namely the street legal clinic at the Faculty of Law, Universitas Udayana, so far it is still oriented to the pattern of changing issues in each semester with short-term targets such as the introduction of issues related to selected target participants who are determined each semester to then re-determine the issues and other target participants in the following semester.

Based on these conditions, the author was then interested in conducting legal research by taking the title "**Street Legal Clinic: Development of Legal Learning Methods Based on Clinical Education in Law Education Institutions**". Previously, the author had never found an article that was the same as the title of the writing that the author adopted. However, the author had seen a similar type of deafness with the title "The Role of Legal Clinics in Community Empowerment" and "The Synergy of the Legal Aid Movement and the Legal Clinic in the Embodiment of Social Justice Learning Studies from Bandung", where the two writings discuss the benefits of legal clinics amid society.

B. Discussion

1. Legal Clinic Education in the Form of Street Legal Clinic at the Faculty of Law, Universitas Udayana

Universitas udayana is a public university within the Ministry of Education and Culture, the oldest state university in Bali Province. One of the faculties owned by Universitas udayana is the Faculty of Law. The vision of the Faculty of Law of Universitas udayana is "The realization of the Faculty of Law of Universitas udayana as a higher education institution that produces human resources who have competitive advantages in the field of legal knowledge and expertise, are independent, cultured, and devoted to God Almighty, and play a role in the context of development". This vision illustrates that the law faculty at Universitas udayana is an autonomous and independent home and facilitates interaction and collaboration between social sciences and humanities while remaining grounded in local and national characters.⁶

⁶<https://www.google.com/search?q=Buku+Pedoman+FH+UNUD&oq=Buku+Pedoman+FH+UNUD&aqs=chrome..69i57.5789j0j4&sourceid=chrome&ie=UTF-8>, diakses pada 11 Februari 2020.

The Law Undergraduate Program of Faculty of Law, Universitas Udayana is an educational forum to produce graduates who are independent, superior, and cultured in law. One of the efforts to realize the vision of the Faculty of Law of Universitas Udayana is the availability of a strong legal clinical laboratory. Clinical laboratories have an essential role in carrying out the *Tri Dharma Perguruan Tinggi* because the three dharmas, namely the dharma of education, the dharma of research, and dharma of social service, are carried out by Consultation and Legal Aid Institute or *Lembaga Konsultasi dan Bantuan Hukum* (LKBH) in the Faculty of Law.⁷ The Legal Clinic is a form of developing interactive-reflective learning methods. This Law Clinic is part of the application of the Student Center Learning (SCL) Method, where students are expected to be active and able to develop knowledge and skills by directly contributing to the learning process. In the legal clinic implementation, three stages must be followed, namely the planning component, the experiential component, and the reflection component. The learning models that have been used in the law faculty include: In House Clinic, Out House Clinic, Combination, and Street Legal Clinic (Legal Counseling).

Seen from a historical perspective, legal clinic education has been started in the United States since the 1960s, incorporated into the American education curriculum. In Indonesia, legal clinics have been known since the 1970s, where the concept of legal clinics is more directed at the contribution of legal education to the community through the formation of Legal Aid Institutions, considering that the campus system has not been able to be connected to the curriculum and teaching methods.⁸ The provisions of the 1945 Constitution mandate the government to advance Science and Technology by upholding religious values and national unity to advance civilization and the welfare of mankind.⁹ The provisions of Law No. 20 of 2003 concerning the National Education System defines national education as education based on Pancasila and the 1945 Constitution of the Republic of Indonesia, rooted in religious values, Indonesian national culture, and responsive to the demands of changing times.¹⁰ This element of responsiveness to the demands of changing times can then be answered by developing learning methods. One of them is through legal education based on clinical education (legal clinic). Through the clinical law course, students can hone skills in applying their legal knowledge. Also, students will be introduced to social justice because students will socialize amid society to provide information related to legal awareness in society. Another benefit of this course is that the active participation of students who come to the community can also be an inspiration for the community regarding law enforcement's idealism.¹¹

To produce superior graduates, it is necessary to support the development of learning methods. One of the potentials to be developed in the law science undergraduate study program is a clinical-based learning method included in the Faculty of Law curriculum, Universitas Udayana. It should be noted that in carrying out a legal development, there are important things that must not be missed, namely that law is understood and developed as a system in which there are several elements that cannot be separated from one another, including institutional elements, legal material elements, and legal culture elements.¹² One

⁷ Ispurwandoko Susilo, "Kedudukan Laboratorium Klinik Dan Bantuan Hukum Dalam Mengemban Tri Dharma Perguruan Tinggi (Studi Kasus Pada Fakultas Hukum Uncen)," *Papua Law Journal* 1, no. 2 (October 25, 2018): 237–52, <https://doi.org/10.31957/plj.v1i2.590>.

⁸ Kadek Sarna dkk, *Pengembangan Metode Pembelajaran Klinik Hukum Lingkungan*, Udayana University Press, 2016, pg.2.

⁹ Lihat ketentuan pasal 31 ayat (5) Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

¹⁰ Lihat ketentuan pasal 1 ayat 2 Undang-Undang Nomor 20 Tahun 2003 tentang Sistem Pendidikan Nasional.

¹¹ <https://business-law.binus.ac.id/2015/12/02/pendidikan-hukum-klinis-di-indonesia/>, diakses tanggal 9 Pebruari 2020.

¹² Frankiano Randang, "MEMBANGUN HUKUM NASIONAL YANG DEMOKRATIS DAN CERDAS HUKUM," *Jurnal Ilmiah Hukum* 3, no. 5 (2009), <http://repo.unsrat.ac.id/196/>.

form of legal development is through various reforms of methods that can be used to spread benefit to the broader community. Extension, or what is known as street legal, is a form of legal development and dissemination interesting to study in-depth.

Street Legal Clinic is a form of activity that can be chosen to implement clinical education-based learning methods at the Faculty of Law.¹³ The street legal clinic's character is one of the activities to provide education to the community or specific groups of people related to particular issues that develop in society. In this activity, students will be directly assigned as extension workers who play an active role in implementing the Street Legal Clinic. The Street Legal Clinic model is usually chosen as the final part of clinical learning development after issues have been identified and other forms of development have been implemented.

The Street Legal Clinic's implementation in the undergraduate Undergraduate Program of Faculty of Law, Universitas Udayana, is one form/type of clinical implementation that each clinical teaching team can take at the Faculty of Law, Universitas Udayana. So far, based on the author's observations, the form of Street Law Clinic implementation carried out by the Faculty of Law at Universitas Udayana is still in the conventional form of temporary (intermittent) Street Law according to the issues determined each semester. This model will undoubtedly be less effective and less able to provide benefits if it is not accompanied by preliminary research and includes assistance until the target/final goal of implementing the street law clinic is achieved. This implementation model certainly demands a development for the achievement of bigger goals, both for the development of the capabilities and responsibilities of clinical students and expanding the benefit to the community. This makes the author very interested in building the concept of developing Street Legal Clinic, which has aspects of comprehensiveness and clarity of targets but is still attractively packaged in its implementation.

2. Development of Learning Methods Based on Clinical Legal Education in the Form of Street Legal Clinic

The Faculty of Law is no exception. The Faculty of Law, University of Universitas Udayana, is an academic institution (Intellectual) within a University that is also a place to train students to work professionally and be responsible for their later work. Because law science is one of the fields of Social Humanities, most law faculty graduates will later go directly into society.¹⁴ Therefore, the role of the law faculty should not only provide campus learning provided by lecturers to students, but law faculty students should also receive learning outside the classroom through clinical education or clinical law education so that students know firsthand legal problems that exist in society and not only find out based on the literature he reads.¹⁵ An essential element of clinical law education is a legal clinic with the faculty of law as its operational base. Students run it under lecturers' supervision, governed by the same rules for legal aid outside the law faculty.¹⁶

¹³ Ilham Yuli Isdiyanto, "MENAKAR 'GEN' HUKUM INDONESIA SEBAGAI DASAR PEMBANGUNAN HUKUM NASIONAL," *Jurnal Hukum & Pembangunan* 48, no. 3 (December 5, 2018): 589, <https://doi.org/10.21143/jhp.vol48.no3.1747>.

¹⁴ Lijan Poltak, Sinambela Guru, and Besar Sekolah, "Profesionalisme Dosen Dan Kualitas Pendidikan Tinggi," *Jurnal Sosial Dan Humaniora*, vol. 2, December 31, 2017, <https://doi.org/10.47313/PPL.V2I4.347>.

¹⁵ Bisyril Abdul Karim, "Pendidikan Perguruan Tinggi Era 4.0 Dalam Pandemi Covid-19 (Refleksi Sosiologis)," *Education and Learning Journal* 1, no. 2 (July 17, 2020): 102, <https://doi.org/10.33096/eljour.v1i2.54>.

¹⁶ Sihombing, Uli Parulian, dkk, "Pendidikan Hukum Klinis (Clinical Legal Education) Dalam Pelaksanaan Undang-Undang No. 16 Tahun 2011 Tentang Bantuan Hukum", The Indonesian Legal Resource Center, Jakarta 2014, pg. 8.

Clinical education at the Faculty of Law, Universitas Udayana, will make students understand that law consists of doctrinal principles and a systemic process.¹⁷ Learning outside the classroom can also have an impact on the knowledge possessed by students. Students can better understand the facts in the field to get a picture of the future, for example, sustainable development. What is meant by sustainable development here is a development by managing natural resources rationally and wisely to meet the needs of the present generation without neglecting the needs of future generations.¹⁸ Students of the Law Faculty of Universitas Udayana need learning outside the classroom to learn how to communicate well in society. This is necessary so that students can understand a person's character so that they can help with existing legal problems. One way is to master "tepa salira," which means an attempt to understand and understand feelings and motivate others through the process of identification.¹⁹ So that by mastering this, it is hoped that Universitas Udayana law faculty students, through good communication, will be able to motivate people to obey the applicable law. Based on these conditions, it is necessary to develop learning models/strategies to become a necessity to continue to improve the quality of Human Resources (graduates) of the Faculty of Law. One of the interesting learning models to develop is the Street Legal Clinics model in implementing the Legal Clinic Course.²⁰

Clinical education with the street legal clinic model generally has several advantages, including providing practical skills. Law faculty students become more sensitive to the community's legal needs.²¹ Students also gain new knowledge in the law that is appropriate and useful to their daily needs.²² Referring to the implementation of the Street Legal Clinic model, the Environmental Legal Clinic Course was carried out in the past two semesters which was packaged with a creative and comprehensive model in collaboration with Clinical Partners, the Street Legal Clinic Implementation Model recommendations that can be used as a reference in the implementation of the Street Legal Clinic in all Legal Clinic Courses are as follows:

NO	Stages	Advantages
1	Pre Implementation Stage Meeting and Equal Perception - Implementation of Street Legal Clinic in Clinical Teaching Team	With the pre-implementation stage, it is hoped that it can implement Street Legal Clinic easier because it already has guidelines in its implementation

¹⁷ Natalia H.P., S.H., Lasma, 2016, "Sinergisme Gerakan Bantuan Hukum dan Klinik Hukum Dalam Perwujudan Keadilan Sosial". Diversity Of Clinical Legal Education And The Road To Social Justice. pg. 148-156

¹⁸ I Gede Yusa and Bagus Hermanto, "Implementasi Green Constitution Di Indonesia: Jaminan Hak Konstitusional Pembangunan Lingkungan Hidup Berkelanjutan," *Jurnal Konstitusi* 15, no. 2 (September 18, 2018): 306, <https://doi.org/10.31078/jk1524>.

¹⁹ Atang Hermawan Usman, "KESADARAN HUKUM MASYARAKAT DAN PEMERINTAH SEBAGAI FAKTOR TEGAKNYA NEGARA HUKUM DI INDONESIA," *Jurnal Wawasan Yuridika*, vol. 30, December 15, 2015, <https://doi.org/10.25072/JWY.V30I1.74>.

²⁰ Ahmad Fadlil Sumadi, "Hukum Dan Keadilan Sosial Dalam Perspektif Hukum Ketatanegaraan," *Jurnal Konstitusi* 12, no. 4 (May 20, 2016): 849, <https://doi.org/10.31078/jk1249>.

²¹ Achmad Anwar Abidin, "MANAJEMEN PEMBIAYAAN PENDIDIKAN TINGGI DALAM UPAYA PENINGKATAN MUTU (Studi Kasus Pada Perguruan Tinggi Swasta Menengah Di Surabaya)," *Jurnal Penjaminan Mutu* 3, no. 1 (February 28, 2017): 87, <https://doi.org/10.25078/jpm.v3i1.95>.

²² Salain, Ni Made Sukma Prijandhini, SH, MH, LLM, dkk, "Menyebarkan Social Justice Melalui Klinik Hukum Perancangan Kontrak Dengan Model Street Law: Efektivitasnya Di Fakultas Hukum Universitas Udayana", https://simdos.unud.ac.id/uploads/file_penelitian_1_dir/acd782f30c41c7ded0aca4d84dd35c63.pdf

	<p>Street Legal Clinic Issue Determination</p> <ul style="list-style-type: none"> - to be implemented at least 2 Semester of Clinical Lectures - Meetings and Agreements - Collaboration with Clinical Partners <p>Street Legal Clinic Model</p> <ul style="list-style-type: none"> - Explanation in Legal Clinic Students - Coordination and Application for Permits - Implementation of Street Legal Clinic at the Location of Implementation - Preparation of the Questionnaire - Preparation of PowerPoint - Presentations and Posters as Media Street Legal Clinic advocates 	<p>to minimize the occurrence of errors. Also, this stage has other benefits, such as making all activities carried out to be organized and systematic, which makes the performance more precise and efficient.</p>
2	<p>Implementation Stage</p> <ul style="list-style-type: none"> - Distribution of questionnaires as a form of preliminary research <p>Implementation of the Street Legal Clinic (presentations and posters)</p> <ul style="list-style-type: none"> - was in line with the implementation targets. <p>Provision of supporting infrastructure to maximize target achievement</p>	<p>The implementation stage is the core stage of the Street Legal Clinic because, at this stage, participants can find the data needed to solve legal problems that exist in the community so that through the data collected, participants can provide solutions to existing legal problems, which will certainly have an impact. positive for the community itself</p>
3	<p>Evaluation Stage</p> <ul style="list-style-type: none"> - Evaluation of Street Legal Clinic Implementation 	<p>The evaluation stage is the final stage of this Street Legal Clinic model. Even though it is the final stage, it should be noted that this stage is vital so that later the obstacles faced while implementing the Street Legal Clinic are known. In the implementation of the next period, these obstacles can be</p>

	Assistance after Street Legal Clinic implementation	overcome. Also, with the evaluation stage, participants can find out and carry out escort/assistance to the solutions given in dealing with legal problems in the community.
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As described above, the street legal clinic development model is a model suggested in the implementation of the Street Legal Clinic at the Faculty of Law, Universitas Udayana. The advantage of this model is that it can creatively and comprehensively accommodate several stages in the implementation of the Street Legal Clinic, namely the pre-implementation, implementation, and evaluation stages so that the main objective of implementing the Street Legal Clinic is to help answer problems that develop in society can be achieved more optimally.

3. Conclusion

In addition to being a place for students to study for students, the campus also has a role in answering issues circulating in the community. This role can be optimized by developing learning concepts. The campus should be present in the middle of the community. The Legal Clinic is an interesting course to be developed to answer problems that occur in society. The Faculty of Law, especially at Universitas Udayana, provides courses in legal clinics by dividing into three stages: planning component, experiential component, and reflection component with a model. The lessons that have been used so far are In House Clinic, Out House Clinic, Combination, and Street Legal Clinic. Learning with the Street Legal Clinic model can spur students to understand strategies to solve legal problems in society. The development of the learning concept through the Street Legal Clinic is also an excellent breakthrough to provide real campus action so that it can contribute to the region, the nation, and the State and support the implementation of the *Tri Dharma Perguruan Tinggi*, which can provide the most significant benefit to the community. The development model suggested in the implementation of the Street Legal Clinic is to be more optimal in answering problems in the community, namely by accommodating several stages in its implementation, namely the pre-implementation, implementation, and evaluation stages into a single unit that is packaged creatively and comprehensively in collaboration with Clinical Partners.

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