

## Exploration and Utilization of a Situation-Based, Court-Based Learning Course in Medical Law Curriculum

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### Abstract

### Review Article

Traditional lecture-based teaching method is widely used in medical law curriculum and always fails to improve students learning motivation in China. To overcome this shortcoming, we applied a situation-based, court-based learning course. Our research results indicate that the situation-based, court-based learning course increased medical students' interest in strengthening their knowledge of medical law, cultivated students' doctor-patient communication skills, and built their confidence in the judicial system.

**Keywords:** Court; Medical law education, Situation-based learning.

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## INTRODUCTIONS

In recent years, the doctor-patient relationship remains tense, and medical disputes continue to surge frequently in China. This necessitates that medical personnel not only possess excellent medical professional skills but also a strong medical law knowledge and legal defensiveness. Previous researches have shown that medical law knowledge is a weakness in the overall quality of medical personnel in China. Therefore, cultivating medical students' medical law consciousness is an important goal and task in the current implementation of medical education. The cultivation goals for medical students in the new era and the development of harmonious doctor-patient relationships both require medical students to possess good medical legal quality. Currently, traditional lecture-based medical law courses are commonly used for medical law education, and the learning results are not effective and satisfactory.

### I. Analysis of the Current Status of Medical Law Teaching for Medical Students in China

#### (I) Shortage of Medical Law Courses

Currently, domestic medical colleges have few class hours for medical law courses and lack corresponding textbooks. At present, there are numerous laws and regulations in China related to the medical and health field. Many teachers believe that medical law education belongs to general law theory teaching. This

view leads many medical colleges to neglect medical law education. Medical students have many medical professional courses and heavy learning tasks, and they do not have the time or necessity to learn and master too much legal knowledge. But, mastering the essential medical law can meet the legal quality requirements of medical students' future professional careers. Clinical medical law teaching also currently lacks relevant textbooks in China. The self-compiled or co-compiled textbooks used in medical colleges across the country extensively cover relevant laws and regulations in the medical field in China, are large in length, and contain complicated content, lacking practicality for medical students' learning of medical law knowledge and their future professional careers.

#### (II) Poor Teaching Effectiveness of Medical Law Curriculum

Due to various reasons, medical law education is severely formalised and marginalized. In the current teaching practice, teachers with legal backgrounds mostly teach the courses, which are often somewhat distanced from clinical practice, leaving a weak impression on medical students, and the learning outcomes are poor. The universities do not pay attention to it, teachers are not well prepared, students have low participation, and the teaching effect is, as expected, not good. For example, even if case studies are used in the course, they are often too simple, often lacking student

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participation, and turn into "storytelling sessions." In the past two years, we have tried to introduce a situation-based, court-based learning course teaching approach, where medical students can learn and understand medical law knowledge in a simulated court environment and improve their ability to solve problems in actual medical disputes. This interactive and practical learning method is more likely to stimulate students' interest and enthusiasm than traditional classroom lectures. It has received positive feedback from medical students and has been well-received.

## **II. Positioning and Characteristics of Situation-based, Court-based Learning Course**

### **(I) Positioning of Situation-based, Court-based Learning Course Design**

To conduct situation-based, court-based learning course teaching for medical students, its positioning must be clearly understood. Compared to legal theory teaching, a situation-based, court-based learning course is a practical teaching method targeted at medical students entering clinical internships, especially undergraduates and postgraduates participating in clinical practice teaching. It is almost impossible to conduct situation-based, court-based learning course education for freshmen and sophomores because they have not had systematic learning of clinical medical knowledge, and the medical professional foundation for conducting medical court education is not solid. However, conducting situation-based, court-based learning course education for medical students during their internship stage is not only necessary but also realistically possible.

Referring to simulated court designs for medical law majors all over the world, we have been piloting situation-based, court-based learning courses in teaching practice for the past two years, using a case-based teaching format to allow students to learn in practice. A situation-based, court-based learning course involves students participating in simulated medical dispute case trials, with teachers and students playing different roles such as doctors, patients, judges and lawyers. Facing a pre-set case scenario, the teacher provides specific guidance during the court hearing, enabling students to understand the process of medical dispute case trials, enhancing medical students' interest in learning medical law, deepening their understanding of medical legal knowledge, helping students quickly grasp the learning content in a short period, effectively mobilizing students' enthusiasm, and thereby improving the teaching effect.

### **(II) Characteristics of Situation-based, Court-based Learning Course**

In the selection of cases, we choose cases closely related to the medical disputes and the content being taught, with a certain timeliness and typicality, combined with corresponding law knowledge points and

issues that should be paid attention to in medical disputes. Moreover, to ensure the professionalism of the teaching process, we invite professional lawyers from our hospital who have been handling medical disputes for a long time and have extensive courtroom experience to serve as judges and lawyers.

To make up for the shortcomings of medical law education, the situation-based, court-based learning course focuses on popularising medical law, supplemented by the application of medical knowledge. It emphasises the enlightenment and education of medical students' medical legal thinking. The situation-based, court-based learning course focuses on medical practice, enhancing the students' experience of medical professionalism, and immersing themselves in the role-playing of a "real court," helping medical students to sort out a complete professional concept. The teaching process should focus on cultivating legal literacy, teaching medical students not only the legal avenues for resolving medical lawsuits but also instilling in them the qualities of honesty and integrity, and fostering medical students' belief in justice and fairness.

## **III. Implementation Process of Situation-based, Court-based Learning Course**

### **(I) Case Selection for Situation-based, Court-based Learning Course**

Regarding the case selection for the situation-based, court-based learning course, we have carefully considered it, believing that given the characteristics of students and the medical law education, medical students do not have the ability to understand complex medical dispute cases. The cases for the situation-based, court-based learning course come from real cases but were aimed at teaching, emphasizing the teaching function in the process, so that medical students can both understand medical professional knowledge and learn and master the key points of medical law knowledge. Therefore, our case selection includes typical cases both clinically and legally, allowing for learning by analogy. For example, in case selection, the case must include the patient's right to know and to consent, including [1] Information Provision: Medical personnel explain the diagnosis results, treatment plans, possible risks, and expected effects to the patient in detail. [2] Comprehension Confirmation: Ensure that the patient understands the above information, usually through questions and explanations. [3] Voluntary Decision: The patient makes an independent decision to accept or refuse treatment without any pressure. [4] Recording Consent: Usually includes a written consent form to record the patient's consent. These are the most common medical dispute links in clinical practices and must include these elements to ensure that students have a full understanding and mastery of basic legal concepts through typical cases. Considering that the situation-based, court-based learning course is a new teaching method, teachers must be arranged to provide

targeted pre-class tutoring and explanation of the cases, including clinical knowledge learning and expansion, case analysis, evidence collection and organisation, application, preparation of defence statements, and training in defence skills. It is also important to pay attention to post-class evaluation. Post-class commentary is not only an evaluation and summary of the entire learning process but also a summary of the learning process by the students themselves.

## **(II) Specific Implementation Process of Situation-based, Court-based Learning Course**

The specific implementation process of the situation-based, court-based learning course includes:

[1] determining the case, [2] selecting and assigning roles, [3] pre-trial discussion and material preparation, [4] pre-trial rehearsal, [5] formal court hearing, [6] post-trial discussion, and [7] post-class commentary and summary. Case selection is generally based on actual cases occurring in our hospital or typical cases selected from the internet. Role selection and assignment should consider the students' own abilities while referring to their own wishes. The role of the judge is generally held by experienced professional lawyers from our hospital's medical-patient relationship office. Because the role of the judge is crucial for the smooth operation of the simulated court, they need to have the ability to control the court and adapt to changing circumstances. Depending on the case, students are generally divided into plaintiff groups (prosecution), defendant groups (defence), lawyers, witnesses, etc. Each group discusses the case before the hearing and formulates prosecution and defence plans. They also need to prepare corresponding litigation documents (complaint, defence statement); multiple rehearsals are necessary if needed. Finally, the formal court hearing is held. From preparing for the court hearing to making a judgment, the proceedings are conducted in accordance with legal procedures. The goal is to make students feel a sense of reality and responsibility as much as possible, and to realise that their words and actions are protecting their own interests and upholding the sanctity and dignity of the law.

The key aspects of implementing a situation-based, court-based learning course include case presentation, courtroom debate and post-court discussion. Teachers will first introduce the court process and the basic knowledge of different parties involved. Students participate in the role of various parties. For example, witnesses provide testimony, lawyers portray their views, and finally the judge pronounces the verdict. Throughout the process, students learn about the different roles, procedures, and court questioning and answering skills in medical litigation. Finally, the whole group discusses and summaries, and the judges will share their experience in mediating medical disputes. Because medical disputes often require long periods of communication and negotiation, mediation is also an

important alternative to litigation. Doctors and judges will then introduce to medical students what they should pay attention to in future medical activities and how to avoid future medical disputes. After class, students' complete questionnaires.

## **IV. Teaching Effectiveness of Situation-based, Court-based Learning Course**

A total of 67 questionnaires were received. Approximately 93% of the students indicated they were satisfied. They believed that besides the role-playing activities, the teaching was useful. Approximately 86% of the students stated that they had a deeper understanding of medical law. More than half of the medical students reported a reduction in their anxiety about medical disputes. Students indicated they recognised the solemnity of the medical profession, the importance of doctor-patient communication, and the fairness of the judicial system, and expressed their willingness to further study and enhance their legal awareness.

### **(I) Medical Students Recognise the Importance of Medical Law.**

Students found that they must always remain familiar with medical ethics and law in clinical practice. Actively learning and understanding medical cases helps reduce the occurrence of medical disputes. Conversely, unfamiliarity with medical law is a risk factor in potential medical disputes. Some medical students stated that they realised that improving clinical professional skills is key to reducing medical lawsuits. They should uphold medical professionalism, follow clinical treatment guidelines and expert consensus, and safeguard patients' rights. In clinical work, they should do their best to treat patients and provide reasonable explanations for medical decisions made for patients, using their professional knowledge to the best of their ability, so that patients get good results and create good doctor-patient relationships. Students all believe that as medical personnel, they need to pay more attention to relevant laws and regulations and abide by them, avoiding possible medical lawsuits.

### **(II) Medical Students Understand the Importance of Doctor-Patient Communication.**

The situation-based, court-based learning course provides students with valuable opportunities to directly observe medical litigation. Approximately 86% of respondents agreed that effective communication between doctors and patients is the foundation of a harmonious doctor-patient relationship. Students reflect on their abilities as future doctors on the situation-based, court-based learning course. When students interact with lawyers for the patient, they learn that the seventh part, sixth chapter of medical damage liability can actually enable doctors to be more proactive in safeguarding the patient's best interests, preventing medical misconduct and medical negligence, and avoiding civil and criminal liability. Students observed that doctors, as defendants in

court, sometimes could not understand what the patient, the patient's lawyer, and the judge were saying, and they realised that medical inequality also occurs to patients. This unique experience made students realise that doctors should make more efforts to address patients' anxieties and problems, and should not always consider patients as potential threats.

By sharing and analysing the medical dispute cases involved in the situation-based, court-based learning course, students understood what is important to patients. After all, the expectations of the patient may be very different from those of the doctor. Students realised that in order to prevent doctor-patient conflict and narrow the gap between doctors' and patients' expectations, doctors should show empathy for patients' concerns and try to understand each other as much as possible. Students realised, "When I talk to patients, I have to be careful with my wording and avoid using negative language."

### **(III) Medical Students Build Trust in the Judicial System.**

For a long time, biased media coverage of medical disputes and unfavourable online public opinion regarding doctor-patient relations have indirectly deteriorated doctor-patient relations and prompted more doctors to adopt protective medical practices. Traditional medical law education has no way to eliminate students' doubts and distrust of the judicial system. This leads to more than two-thirds of medical students believing in surveys that the sensational reporting of medical disputes by a large number of media in recent years has made them have confrontational, stereotypical impressions of courts and laws. They distrust the law and the judicial system, worrying about the ability to make fair judgments. Some medical students even believe that they have not yet started clinical work, but due to long-term exposure to distorted media reports, they feel that medical disputes exist like ghosts; they worry that they will continue to be plagued by them in their future work.

In the situation-based, court-based learning course education, an important finding is that medical students have gained confidence in the judicial system. Observing the litigation process in a situation-based, court-based learning course allows medical students to participate in and observe medical litigation without any pressure. Interaction with judges and lawyers allows them to understand the similarities and differences between medicine and law. Medical students believe that they should not complain about the unfairness of medical disputes, but rather understand the views of the legal community and face them directly, so that judges and lawyers can understand doctors.

### **(IV) Improve Medical Students' Enthusiasm for Learning Medical Law and Ethics.**

More than a third of medical students pointed out that group discussions provide a platform for different professionals to communicate and understand each other, and provide them with multi-dimensional thinking. Students mentioned that they have fewer negative emotions about medical disputes and a deeper understanding of medical law. Some students reported, "I feel more relaxed and less anxious about current medical work environment and my future medical profession". Medical students understand the handling process of medical disputes, what they should pay attention to, and how to prepare for and handle it. Students recognise the importance of mediation. It is impossible to mediate medical disputes if the legal and medical communities do not cooperate. On the other hand, if these two professions work together, the medical litigation environment will be greatly improved. Initially, medical students felt that professional legal terms were too difficult to understand and even a bit repulsive, and were unwilling to learn. "However, after participating in the situation-based, court-based learning course, I found that it is not boring at all."

### **V. Significance of Medical Court Teaching**

Traditional teaching methods do not allow students to fully recognize the importance of medical law. Although many medical colleges also emphasize medical ethics and law in the curriculum, actual teaching often focuses on medical ethics and law, either because teachers lack professional knowledge or because teachers cannot translate theory into practice. Applying the situation-based, court-based learning course to undergraduate education aims to enable students to apply the theoretical knowledge of medical ethics and medical law to clinical practice and eliminate their anxiety about potential medical lawsuits in their clinical practice careers. Our situation-based, court-based learning course is an innovative teaching method designed to improve medical students' multidisciplinary learning abilities. Students gained more knowledge of how to apply the law in their professional careers. By observing judicial procedures and interacting with legal personnel, they learned that professionalism is the cornerstone of medical practice. In addition to professionalism, they also realised that learning medical ethics and law helps doctors become aware of their legal responsibilities. This not only protects them and reduces the occurrence of medical disputes, but also lays an important foundation for high-quality medical services. Students also unanimously agreed that good doctor-patient communication plays a key role in reducing the risk of litigation. In addition, students eliminated negative perceptions of the judicial system and increased their trust in the judicial system to make fair judgments.

This study has some limitations. Although our results show that students have a positive attitude towards medical law learning and have good learning outcomes, the research time is short and the scale is small. Therefore, long-term, longitudinal studies need to be conducted to accumulate more experience and improve teaching effectiveness.

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