

Applying Social Cognitive Theory to Develop Decision-Making Skills in Law Students: A Case Study in Family Law Education

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ABSTRACT

Family Law is a difficult area of legal education because it requires students to apply legal doctrine while responding to emotionally sensitive disputes involving divorce, child custody, maintenance, and domestic violence. Traditional doctrinal teaching remains important, but it may not sufficiently prepare students to exercise empathetic judgment, ethical reasoning, and practical decision-making in client-centred contexts. This article examines how Social Cognitive Theory (SCT) can inform Family Law pedagogy through observational learning, modelling, behavioural practice, feedback, and self-efficacy development. Using a concise descriptive qualitative and conceptual case-study approach, the article synthesises SCT, clinical legal education, and simulation-based learning literature to propose an SCT-Enhanced Simulation Model for undergraduate Family Law courses. The model combines faculty demonstration, structured role-play, standardised client scenarios, peer feedback, and guided reflection. The article argues that this approach can strengthen students' confidence, ethical awareness, empathy, and readiness for legal practice, while recognising that future empirical studies are needed to test its long-term impact across diverse Malaysian law schools.

Keywords: Social Cognitive Theory, Family Law, Legal Education, Decision-Making, Role-Play, Clinical Legal Education, Qualitative Analysis

INTRODUCTION

Legal education increasingly recognises that doctrinal knowledge alone is insufficient for practice areas that involve emotional conflict, vulnerable parties, and high ethical responsibility. Family Law is one such area because students must learn not only legal rules but also how to listen to clients, identify risk, balance competing interests, and make decisions under uncertainty. The traditional emphasis on appellate cases and statutory interpretation provides a necessary foundation, but it does not always expose students to the interpersonal and ethical pressures that arise in practice.

This concern is particularly relevant in Malaysian legal education, where Family Law involves both civil and Islamic legal dimensions and often requires practitioners to respond sensitively to domestic relationships, children's welfare, and family breakdown. Undergraduate students may understand legal doctrine but still lack confidence in interviewing clients, managing emotions, or making practical recommendations. These gaps suggest the need for pedagogical strategies that connect doctrinal learning with experiential, reflective, and ethically guided practice.

Social Cognitive Theory offers a useful framework for this purpose. SCT explains learning as an interaction between personal cognition, behaviour, and environment, and it emphasises that learners acquire complex behaviours through observation, modelling, guided practice, and feedback (Bandura, 1986). In legal education, these principles can be translated into simulations where students observe experienced practitioners, practise structured client interactions, receive feedback, and gradually develop self-efficacy. Self-efficacy is especially important because students who believe they can perform professional tasks are more likely to engage actively, persist through difficulty, and improve through reflection (Bandura, 1997; Schunk & DiBenedetto, 2020).

This paper proposes an SCT-Enhanced Simulation Model for Family Law education. The objective is not to replace doctrinal teaching, but to strengthen it by adding structured opportunities for observation, role-play, ethical reflection, and feedback. This paper also clarifies its methodology, acknowledges its conceptual and qualitative limits, and identifies implementation strategies that may be adapted by law schools.

METHODOLOGY

This article is positioned as a descriptive qualitative and conceptual case-study paper. It does not claim statistical generalisation or causal measurement. Instead, it develops a pedagogical model by synthesising relevant literature on SCT, clinical legal education, legal simulation, and Family Law teaching. This clarification responds to the need for greater methodological transparency and avoids overstating the empirical reach of the study.

For classroom implementation, the proposed research design may use purposive sampling involving undergraduate law students enrolled in Family Law courses and clinical faculty members who supervise simulation or advocacy activities. Data may be collected through reflective journals, observation notes, focus-group discussions, peer-feedback forms, and facilitator assessment rubrics. These sources are appropriate for exploring students' perceptions, confidence, ethical awareness, and decision-making development in a simulation-based learning environment (Creswell & Creswell, 2018).

The analysis may follow a thematic approach. Student reflections and feedback forms should be coded according to recurring themes such as empathy, legal reasoning, confidence, ethical sensitivity, communication, and readiness for practice. To improve trustworthiness, future empirical applications should use clear coding procedures, independent review of selected responses, and triangulation between student reflections, facilitator observations, and rubric scores.

The Pedagogy of Decision-Making in Family Law

The Role of Empathy and Ethics in Legal Training

The needs of contemporary Family Law practice demand a very sensitive, morally subtle learning environment. The most important and challenging competency in this area is practical decision-making, required to interview clients, negotiate with them, and develop a strategy for the case. The classic method of legal education, the study of appellate case law and the memorisation of statutory law, has taken the place of the cognitive development origin as found in traditional legal education. In contrast to disciplines where the main focus is on the application of strict commercial standards, Family Law obliges students to actively address the reconciliation of legal rights on the one hand with the emotional and psychological well-being of the parties involved on the other, with a focus on children. Such high emotional intelligence and spontaneous ethical judgment that it necessitates are what make experiential learning an inestimable part of standard legal training, where it usually constitutes a large, essential portion of professional training. As such, the quality of experiential training, namely the level of simulated interaction with a client, is inseparably tied to the efficacy of Family Law education.

Emotional Structure of Law Students in Malaysia

To comprehend the educational vulnerability of Malaysian law students in their transition into practice, it is necessary to consider the emotional form of legal learning. The legal sector in Malaysia is an essential part of social justice, providing the necessary mechanisms for dispute resolution. But the sector's historical focus on

objective analysis creates a structural vulnerability in addressing human conflict. This pattern has consistently been true of legal pedagogy in Malaysia: the vast majority of successful moments of building empathy, as in pedagogy, are invariably immersive engagements of some sort, predominantly through clinical simulations.

Evidence suggests that active engagement in role-play accounts for a significant portion of students' confidence and ethical awareness. Given the disproportionately large share of professional preparation, a law student's practical success is extremely sensitive to changes in the quality of the clinical learning environment. Students' emotional readiness was determined by their organic personalities, not by the technical-pedagogical construction.

The Impact of Doctrinal Isolation

There are significant pedagogical constraints on the traditional approach to Family Law, stemming from a complex interplay of factors. They comprise the academic credentials of faculty, changes in institutional priorities to measurable academic products and the logistical challenges of operating clinical programs.

For Malaysian undergraduate law students, this constraint can translate into predictable, and in most cases, drastic deficits in practical decision-making skills. The qualitative data demonstrates how closely directly correlated are purely doctrinal teaching and low levels of professional confidence. When students are trained to examine written judgments alone, they, who are the typical actors in the system of passive recipients of legal rules, are unable to immediately fit into the untidy, contradictory world of actual client stories.

Failure to take these practical realities into account results in extreme professional limitations at graduation. Although extracurricular volunteering can help highly empathetic students buffer these risks, many students lack access to such experiences. The loss of confidence among undergraduate students that can occur due to a long period of doctrinal learning in a passive environment can quickly result in professional anxiety, ethical misjudgment, and eventually a decrease in the quality of the family law bar. It is this structural weakness that underscores the need for pedagogical models that can shield these students from the isolating effects of purely academic study of law.

The Experiential Barrier for Law Students

Limitations of Passive Case Analysis

A paradigm shift to sustainable and resilient clinical legal education can only be achieved with a significant investment in pedagogical terms. Teachers should be trained to revise their instructional design, such as replacing lecture-based practices that focus on laws on domestic violence without experiencing it, and shift to contemporary psychological models aligned with adult learning and to manage the emotional burden required to discuss sensitive subjects. But the option of accessing this required clinical training is in no way among the least challenging hurdles for law educators in Malaysia.

Conventional case treatment, which usually involves reading appellate cases in which the facts have been tidily summarised by a judge, does not recreate the disorganised reality in a lawyer's office. The lack of emotional clues, the so-called hindsight bias that students experience when reading a closed case, and the absence of real-time ethical pressure all contribute to a tremendous decrease in what the Social Cognitive Theory terms behavioural capability. In the absence of strong behavioural skills, students are less likely to engage in effective interviewing, identify underlying client needs, and navigate the delicate negotiations it takes to master Family Law.

Social Cognitive Theory (SCT) as a Solution

Social Cognitive Theory is grounded in the idea that human learning occurs through reciprocal interaction between cognition, behaviour, and environment. Its core concepts include observational learning, modelling, behavioural capability, self-regulation, and self-efficacy (Bandura, 1986). In professional education, these concepts are valuable because students often learn best when they can observe expert performance, practise the behaviour in a safe environment, and receive feedback before encountering real clients.

Clinical legal education and experiential learning similarly emphasise that students develop professional judgment through active engagement rather than passive reception of legal rules. Experiential legal education encourages students to learn through doing, reflection, feedback, and supervised practice (Webb & Nicholson, 2013). Simulation-based legal education further supports this process by creating realistic but controlled learning environments in which students can practise interviewing, negotiation, counselling, and ethical decision-making (Strevens et al., 2016).

In Family Law, experiential learning is particularly useful because students must address legal, emotional, and social dimensions at the same time. For example, a client consultation involving domestic violence or child custody requires legal analysis, empathy, risk awareness, confidentiality, and ethical judgment. SCT supports this learning process by allowing students first to observe skilled modelling, then to practise in structured simulations, and finally to reflect on their own performance. This sequence helps develop behavioural capability and self-efficacy while reducing the anxiety that can arise when students face sensitive client narratives for the first time.

The SCT-Enhanced Simulation Model

The proposed model combines three SCT-based learning stages: modelling, guided practice, and reflective feedback. In the modelling stage, students observe faculty members, practitioners, or recorded demonstrations showing how to conduct a Family Law consultation, respond to distress, identify legal issues, and explain options ethically. This stage supports observational learning by making professional behaviour visible.

In the guided-practice stage, students participate in structured role-play using standardised client scenarios. These scenarios may involve divorce advice, custody negotiation, maintenance disputes, or domestic violence referrals. Students take turns acting as lawyer, client, and observer. This structure allows them to practise communication, issue identification, ethical decision-making, and legal advice in a safe classroom setting.

In the reflective-feedback stage, students receive comments from peers, faculty members, and, where possible, standardised clients. Feedback should focus not only on legal accuracy but also on empathy, clarity of advice, ethical awareness, and professional confidence. Reflection helps students connect their experience with doctrinal learning and gradually improves self-efficacy (Bandura, 1997; Webb & Nicholson, 2013).

Implementation Strategies for Law Schools

The model can be implemented without excessive institutional burden if it is introduced in short and focused simulation cycles. First, lecturers may begin with a short demonstration of a client interview. Second, students may complete a preparation worksheet identifying legal issues, client interests, ethical risks, and possible advice. Third, students perform a ten- to fifteen-minute role-play. Fourth, the class conducts guided feedback using a simple rubric. Finally, students submit a short reflective note explaining what they learned and how they would improve.

The following rubric may be used to keep the assessment practical and transparent:

Assessment area	Indicator
Legal reasoning	Identifies relevant Family Law issues and explains legal options clearly.
Empathy and communication	Listens actively, uses respectful language, and responds appropriately to emotional facts.
Ethical awareness	Recognises confidentiality, vulnerability, conflict, safety, and professional responsibility issues.
Decision-making	Provides reasoned advice while balancing legal, social, and client-centred considerations.
Reflection	Explains strengths, weaknesses, and practical steps for improvement after feedback.

DISCUSSION

The SCT-Enhanced Simulation Model strengthens Family Law education by connecting doctrinal knowledge with practical decision-making. It allows students to see how legal rules operate in emotionally complex interactions and gives them repeated opportunities to practise before entering real professional settings. The model also improves the role of faculty because lecturers become facilitators of professional reasoning, not merely transmitters of legal doctrine.

This approach is also consistent with clinical legal education, which treats reflection, supervision, and experiential learning as important components of legal professional formation (Barton et al., 2007; Webb & Nicholson, 2013). In the Malaysian context, such a model may assist law schools in preparing students for practice areas where empathy, cultural awareness, and ethical judgment are essential. However, implementation should be sensitive to institutional resources, class size, faculty training, and student emotional well-being.

CONCLUSION

Family Law education requires more than the transmission of legal rules. Students must learn to apply doctrine with empathy, ethical awareness, and practical judgment. Social Cognitive Theory provides a clear and useful framework for developing these skills because it emphasises modelling, practice, feedback, and self-efficacy. The SCT-Enhanced Simulation Model proposed in this article offers a concise and practical strategy for improving Family Law pedagogy in Malaysian legal education. While further empirical validation is needed, the model can help law schools bridge the gap between classroom learning and the human realities of legal practice.

Future research should test the model empirically using mixed-method or longitudinal designs. Larger and more diverse samples across Malaysian law schools would improve transferability. Researchers may also compare simulation-based classes with conventional doctrinal classes to examine differences in student confidence, ethical reasoning, communication skills, and performance in practical assessments. Including faculty members, clinical supervisors, and legal practitioners would further strengthen the evidence base and provide a more complete view of implementation challenges.

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