

ONLINE TUTORING

PROPOSAL OF AN INSTRUMENT FOR THE BUILDING OF KNOWLEDGE IN THE FIELD OF COMPUTATION FOR LEGAL PROCEEDINGS

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ABSTRACT

This paper proposes the development of an embryonic network of relationships existing for a Community of Practice by using a Knowledge Management approach. Its main objective is the development of a proposal to use information technology tools, focusing on a network of relationships mediated by tutors, for building and storing knowledge in the field of computation for legal proceedings in the Justiça Federal de Santa Catarina. The strategies for data collecting were literature review and documental research. It was concluded that online tutoring

model is fully applicable, not only because of medium-term cost reduction , but also for allowing the building and storing of the institution's intellectual capital.

Keywords: *Corporate Education, Tutoring, and Communities of Practice.*

1- Introduction

The Justiça Federal de Santa Catarina (Federal Court of Santa Catarina) has shown a growing demand for new lawsuits and, consequently, increasing its amount of work.

This increase has a direct influence on the services provided by the field of computation for legal proceedings, because is by the technical report, the technical document produced by the Contadorias Judiciais (Judicial Accounting Offices) that the Judge will develop arguments for his/her decision making.

Therefore, the work of professionals in the Contadorias Judiciais must have a technical quality, so that the formal result presented – expert report – represents the criteria determined by the legal proceedings.

To achieve this, it is necessary that the legal accountant keep informed about current legal changes (standards), as well procedures (criteria) and assessment tools (support).

With the amendment of art. 604 of the Code of Civil Procedure, Law No. 8898 (BRAZIL, 1994), the obligation to present the assessment of receivership by a creditor, and the enactment of Law No. 10,259 (BRAZIL, 2001), which deals with the creation and installation of the Juizados Especiais Federais (Special Federal Courts), the field of computation for legal proceedings became particularly important, considering that until then, as a rule, the presentation of the assessment was presented only in the "end" of the process.

In a way, the Núcleo de Contadoria (Accounting Unit) responsible for the field of computation for legal proceedings at Justiça Federal de Santa Catarina (Federal Court of Santa Catarina) found itself with the opportunity to review its procedures, particularly in the training of other decentralized Units – seventeen (17) Subsections including its headquarters in the Capital of Santa Catarina state, Florianópolis.

Currently the training is carried out on a face-to-face basis, but due to the low number of instructors (02) and issues of displacement costs, courses and

seminars developed do not meet the requirements, because the number of these courses and seminars is still reduced and limited.

This paper presents a working proposal of an instrument for the building of knowledge-focusing on the training of *online* tutoring (supported by technological tools) as a pedagogical method and the development of a Community of Practice (CoP) in the field of computation for legal proceedings.

The structure of the paper is organized as follows: introduction; theoretical development in corporate education; mentoring and communities of practice; methodology, a tutoring model based on communities of practice; and finally, research results.

2- Corporate Education

The traditional training model is based on a "Training Department" that centralizes all training actions. However, according to Davenport and Prusak (1998), "Knowledge can be likened to a living system, growing and changing as it interacts with the environment" (p. 6).

Thus, the traditional training model based on a "Training Department", in knowledge management, evolves into the concept of Corporate Education:

One of the differences in designing a corporate education model for this field of training is not only the need to meet a demand for training, but also a great need to align employees with business strategies, by developing skills and creating and transferring knowledge to the critical processes of the organization. Thus:

the concept of corporate education has been used by many authors to describe actions of training and staff development, encompassing both those from the distance as the face.

Probably this is because, unlike what happened in the past, organizations today need much more than training their employees. We must give them a broader and continuous training, and it fits better with the concept of education (Cerqueira, 2004, p. 26).

As this training may be carried out in person or remotely, this modality is increasingly used because of opportunities created by the incorporation of Information and Communications Technology – (ICT). In fact, there is a need for organizations to adopt new management models, and specifically in this project, the evolution for Corporate Education enables the partnership between knowledge (dissemination and democratization) and computer resources: new working technologies, and in particular the use of educational environments using a Web-

based interface *that allows for* a fast deployment of corporate education programs at a low cost.

2.1 - Interaction in Corporate Education

In a traditional teaching-learning perspective, the regular contact between students and teachers enables problems of motivational order to be quickly identified and without this "physical" interaction, the degree of difficulty for the teacher to motivate/communicate with the student is increased (MORAES, 2004, p. 94).

The development that ICT offers, however, is not sufficient by itself. In this learning process, it is necessary that "someone" makes the knowledge-student interface within a feedback process. According to Emerenciano (2001, p. 5):

In any educational process, there is a set of values whose assignment is accepted or not, depending on the limits of personal autonomy and competence to 'see and decide'. In this view, it is critical to understand in the learning process that what is ***learned is the result of one's personal production built from the real world, which, in turn, is projected onto the existence of the author and others.*** (Italics in the original)

According to Maia apud Niskier (1999), *"The student-teacher relationship is still, in the pedagogical imaginary, a dominant idea, which makes tutoring a key point in a distance education system" (p. 391).*

Hence the importance of the tutor -an expert in his/her field of expertise - who creates a complex set of skills that would be stored in the DE (Distance Education) environment.

In other words, tutoring is necessary not only to supervise the transmitted content, but also to guide what s/he is teaching/learning.

S/he is - the Tutor -is the one who will provide a continuous contact with the student, by complementing the teaching task.

Tutoring also has the role of integration, interaction and relationship between participants, minimizing the asynchrony of trainings based on DE.

2.3- Communities of Practice (CoP's)

The institutions, whether private or public, are organized as a community. In this sense, Ferreira (*apud* JUNIOR, 2005, p. 34) explains that "society is a group of people living under the same rule." Communities in knowledge society are based on a tacit understanding notion shared among the participating members.

Smith (*apud* JUNIOR, 2005, p. 34) defines communities as:

an effective way of organizations to manipulate unstructured problems and share knowledge beyond the traditional boundaries. It is, however, around a particular practice that communities often organize themselves.

According to Wenger (*apud* JUNIOR, 2005, pl. 35), Communities of Practice (CoP),

[...] are groups of people gathered informally by **expertise** and passion shared by a joint venture, engineers involved in drilling wells, consultants who specialize in strategic marketing, or lawyers defending a client in a complicated situation. Some of them meet regularly, others are connected mainly through email, and may or may not have explicit agendas. However, all share experience and knowledge in a creative way to promote new approaches to problems that the community has identified.

Terra (p. 2), also warns that "the CoP do not offer an alternative to formal structures, but a complement to them." This occurs mainly by the character of "vagueness" that revolves around the creation of a CoP.

3- Methodology

This research, according to its characteristics, is applied, descriptive, exploratory and a case study. It also has an applied nature as it creates products and/or processes.

Its goal is descriptive because it aims to describe characteristics of a specific population or phenomenon, a practice to obtain appropriate responses to this research. It is considered exploratory in its objectives because it aims to propose a new method of working by training CoPs to facilitate the exchange of experience among workers at the Justiça Federal (Federal Court) who operate in the field of computation for legal proceedings.

Regarding procedures, it is considered a case study, because it consists of an intensive analysis of a phenomenon in an organization: Justiça Federal de Santa Catarina (Federal Court of Santa Catarina), allowing up and diagnose the most amount of information about the event.

The completion of documental research was important to ensure the recovery of information generated under the Justiça Federal (Federal Court). The DE Model in the Justiça Federal (Federal Court)

The Plano Estratégico para o Ensino à Distância na Justiça Federal (CJF – Subcomitê 3, 2007) (Strategic Plan for Distance Education in the Federal Court (CJF - Subcommittee 3, 2007)) - Estruturação da EaD e de Ferramentas de Apoio (Structuring of DE and Support Tools), highlights as philosophy of implementation:

- Stimulate the student to learn to learn;
- Provide a systemic profile of Justiça Federal (Federal Court);
- Build and disseminate knowledge in a collaborative manner (wiki philosophy);
- Share information and solutions (object oriented).

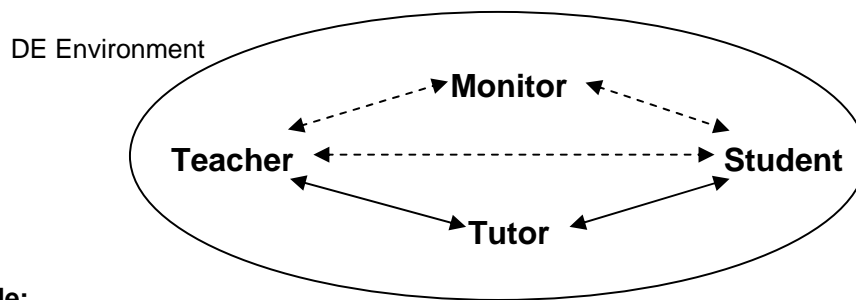
The Item 7.1 from “Ensino à Distância” do Planejamento Estratégico ("Distance Learning" Strategic Planning) (2007) states that:

The establishment of a basis for distance education in Justiça Federal (Federal Court) should not represent only the use of a new educational technology, but the adoption of new institutional values related to professional education.

The change of values related to professional education is also a cultural change, in all segments involved in relation to teaching. Therefore, you must enable public servants that coordinate training activities in the Justiça Federal (Federal Court), as well as instructors who already are working in traditional teaching and the public servants, direct customers of the product being offered. No less importantly are the managers, since the decision power emanates from them.

4- Online *Tutoring Computing for Legal Proceedings*: A Suggested Collaborative Model

As seen in the previous section, the Justiça Federal (Federal Court) has a well-structured DE, including relying on several tools that allow for the creation of a collaborative model, with emphasis on tutoring, aided by monitoring, by adopting the following configuration:



Subtitle:

————— Continuous Assistance

- - - - - Temporary Assistance

Figure 1 - Suggested approach to DE collaborative model

4.1. Relationship Network (CoP) mediated by tutors: building and storing knowledge

The public servants that operate in the field of computation for legal proceedings at Justiça Federal de Santa Catarina (Federal Court of Santa Catarina) have common needs:

- Continuous update of assessment methods;
- Information sharing;
- Continuous reinterpretation of procedures, as there was not a "database" of *expertise* accumulated.

This consists , then, of a network of relationships that can be characterized as the embryonic stage of a Community of Practice (CoP).

The development of this "embryonic" CoP will become a "facilitating structure of knowledge sharing" (FEREICHERT, p. 3), considering that the CoP can be understood as "(...) social learning structures best suited to foster collaboration as a tool for knowledge management (...) they are working groups that go beyond mere compliance with the tasks that are delegated to them"(FEREICHERT, P. 3).

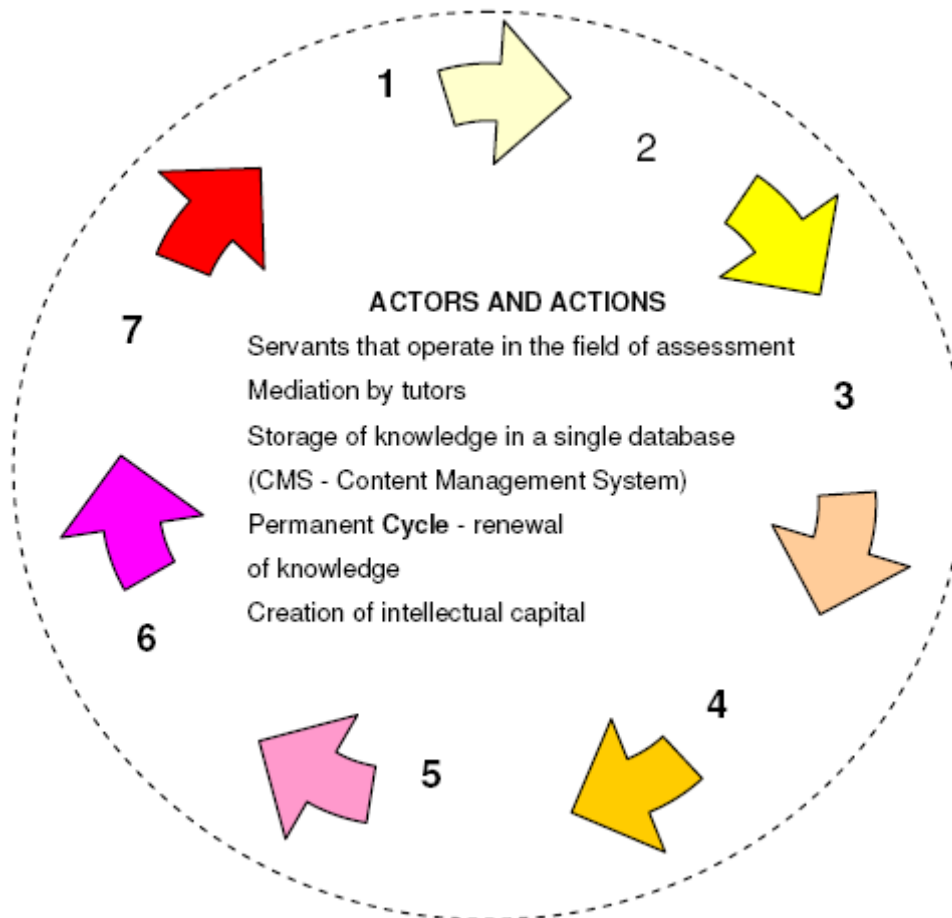
Fereichert (p. 7) describes the steps for creating a CoP:

Identification of network of formal relationships	Identification of elements in the CoP structure	Proposal of a set of procedures for the establishment of CoP	Verification of the practical feasibility of creation and settings	Definition of all the procedures for the establishment of CoP	Implementation of the Set of Procedures	Revival of the CoP with the new knowledge
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Figure 2 - Diagram of the temporal creation of a CoP (adapted)

Adapting the diagram of Figure 2 according to the purpose of this study, considering the feedback (continuous cycle):



Legend :

1. Identification of Network
2. Identification of elements in the CoP
3. Suggested sets of procedures for the establishment of the CoP
4. Practical feasibility for creating a CoP
5. Definition of sets of procedures for the establishment of a CoP
6. Implementation of all sets of procedures
7. Revival of the CoP with new knowledge (new techniques and models)

Figure 3 - Suggested Model of a CoP in the field of computation for legal proceedings

2- Conclusion

The main purpose of this research has been achieved as it was possible to develop a proposal for *online* tutoring, considering deploying in the technology park, as well as the existence of an embryonic network of relationships in the field of computation for legal proceedings. We suggested a model of Community of

Practice (CoP), based on the existing network of relationships among those working in the field of computation for legal proceedings, having a differential for, besides the use of instant messaging, aggregating storing knowledge resources by the mediation of *online* tutors.

It is seen therefore that is not only required the use of tools of information technology alone, but this could be used to join forces with the models to build the appropriate knowledge.

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