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AUTONOMY IN THE USE OF DIGITAL RESOURCES IN A LEGAL ENGLISH COURSE

Abstract

With the aim of examining the level of students' autonomy in the application of digital resources in their learning, a ten-week research was conducted with 19 third-year English language students. The research implemented a blended learning model as an addition to a regular Legal English course. One part of the learning model was aimed at helping the students use digital resources in the process of developing their writing skills. The hypothesis was that, if the students were gradually instructed on how to search and use online resources more and more independently, they would learn how to select the proper sources and how to use them autonomously in their writing. The procedure applied was based on a form of guided writing in the first stage in order to help the students make independent use of digital resources in the third stage. The results obtained from the students' final written assignments should indicate how autonomous the students became in the implementation of digital resources after the third stage and what had influenced this outcome.

Key words

Legal English, writing skills, digital resources, independent research, learner autonomy.

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Ključne reči

pravni engleski, veština pisanja, digitalni resursi, samostalno istraživanje, autonomija učenika.

1. INTRODUCTION

The rather rapid development of the ubiquitous environment of the Internet has brought about a vast digitalisation of education and with it, an immense change in the learning habits of students as its direct participants. Prensky (2001: 1) identifies modern students as "digital natives", because they enter the process of education after they have spent "their entire lives surrounded by and using computers, videogames, digital music players, video cams, cell phones, and all the other toys and tools of the digital age". Since students are versatile and efficient in the use of digital technology, Prensky (2001: 1) identifies them as "native speakers of the digital language of computers, video games and the Internet". More importantly, and this is what Prensky (2001: 1) insists on, the students' "thinking patterns" seem to have changed almost "in a minute".

A growing pool of research proves the claim that the increased exposure to digital technology has generated new learning habits in the modern learning environment (Gee, 2003; Moore, 1997; Prensky, 2001). The digital natives in the modern classroom are used to receiving information quickly and they are capable of multitasking and being involved in parallel processes. "They develop hypertext minds. They leap around. It's as though their cognitive structures were parallel, not sequential" (Moore, 1997: 1). That is why educators should devise the means to

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teach in the language of the digital natives and transform students' digital capacities into a beneficial strategy. In other words, one of the key objectives of modern education in general (that of language education included) should be to deploy students' newly-developed capacities and use them effectively for the objectives laid out by the education system whereby the teaching of writing within an English for Specific Purposes course, such as Legal English, should be no exception.

Yet, despite the obviously highly developed digital orientation that modern students generally seem to have, two major issues should be in focus when planning writing exercises in a Legal English course, namely: (1) the fact that students lack a critical attitude towards digital resources, and (2) they are not autonomous in the use of such resources. To be more precise, research has shown that students in higher education in Serbia, though generally assumed to be rather independent in their work, lack the academic practice to use resources responsibly (for a detailed analysis of students' skills of searching digital resources at the MA level of English studies, see Radić-Bojanić & Đorđević, 2014). More importantly, students generally have only basic computer application skills, which they most frequently use for the purpose of social interaction or entertainment. And this might not be the only reason for their lack of competence to assume a critical view of the sources they find. Another reason might be their insufficient knowledge within a certain discipline or about a specific academic topic (Macdonald, Heap, & Mason, 2001). This applies particularly to the sources they find online.

The research presented in this paper is the result of an attempt to explore whether students, as members of the digital generation who have almost reached the end of their education and presumably developed a certain level of language skills and knowledge, are able to develop autonomy in the use of such resources during the period of ten weeks. After the ten-week instruction, the anticipated outcome was that third-year students should be able to achieve the competence to use digital resources both responsibly and effectively in their Legal English writing. Therefore, the hypothesis set at the beginning of this research was that the gradual instruction, moving from guided writing in the first stage to the independent use of digital resources in the third stage, should contribute to the increase in student autonomy to use digital resources both responsibly and effectively in their Legal English writing. Therefore, three aims were identified: (a) to examine how autonomous and effective the use of digital resources presented in the students' final writing actually was, (b) to determine whether the method of gradual instruction, applied at a stage where students had almost completed their education, might contribute to the development of autonomy in the use of digital resources, and (c) to identify the factors that might influence the outcome of this process.

In Sections 2 and 3 below, a review of theoretical views regarding the teaching of writing and the use of digital resources will be presented. Following the theoretical review, Section 4 will focus on the empirical part of the research,

describing the three stages of the research, each based on the "presentation – practice – production" model, thus providing a thorough description of how the students were gradually instructed to use independently digital resources at their disposal and how they practiced what they had learnt. Each conducted stage results in the students' final products. In Section 5, the statistical analysis of these products will be elaborated with the aim of indicating the extent to which the presentation and the practice stages were reflected in the production, i.e. the level of autonomy the students reached in the implementation of digital resources after the third stage and what had influenced this outcome.

2. DEVELOPING WRITING SKILLS IN A LEGAL ENGLISH COURSE

The skill of writing may be observed from the aspect of the writing process and the writing product (Harmer, 2001: 257). If the writing product is deemed crucial, the sole purpose of writing is achieving the aim stated at the beginning of the process. Conversely, if the writing process is put in focus, the entire act of writing will have to follow a clearly developed set of phases, each of them devised precisely following a coherent structure. The separate phases would have to include a thorough preparation for writing, the research of adequate sources, the act of writing, the review of the product, the editing and proofreading, etc. Harmer points out that successful writing practice within a teaching process depends largely on the process and the detailed development of "pre-writing phases, editing, redrafting, and finally 'publishing' their work", because in that way "a process approach aims to get to the heart of the various skills that should be employed when writing" (2001: 257).

When referring to the skill of writing at the university level, Giltrow, Gooding, Burgoyne and Sawatsky (2009: 10) state that students' writing "derives from research practice: the routines, habits, and values which motivate scholars to do the work they do". However, they also say that students at the tertiary level of education, advanced as they might be, cannot be expected to produce research articles. Written products at this level should share "features of the research genres" because students should learn what the "distinguishing features of scholarly expression are – features which distinguish the scholarly genres and which [accomplished researchers] recognize as typical of academic situations" (Giltrow et al., 2009: 10).

The skill of writing in a Legal English course would have to meet the basic objectives of the entire course in ESP for Law. This means that the subject matter of the course would have to be incorporated in the teaching approach to the writing practice. The outcome should be that students are able to express certain issues, ideas and problems from the context of law, court procedures, administrative processes, etc. in writing, by relying exclusively on the clearly

defined terminology, register and style characteristic of the above-mentioned areas. Furthermore, students should be trained to produce different types of written texts in Legal English, depending primarily on the purpose and aim of the text. In that respect, producing different genres should be practised, such as affidavits, briefs, contracts, decisions, judgments, notices, pleas, pleadings, writs and many other forms, which are all used in the practice of law (Candlin, Bhatia, & Jensen, 2002). Producing each of the identified forms may be defined as an objective on its own and should be considered part of the syllabus for a course in Legal English.

A recent research on the skill of writing based on building genre knowledge (Tardy, 2009) leads to the general conclusion that students should be able to "develop a more dynamic understanding of the relationship between formal textual features and sociorhetorical context generally considered to be the goal of genre-based pedagogy" (Tardy, 2009: 126). She advises that for genre analysis to be beneficial for students, it "cannot stop at the analytic stage," but "should include application of analytic skills to the writing students encounter outside of class and should aim to engage students in the sociorhetorical contexts of the writing" (Tardy, 2009: 133).

3. DIGITAL RESOURCES AND THE DEVELOPMENT OF STUDENT AUTONOMY

Since the Internet has become a primary resource for almost all professions, the use of digital resources should be added to the list of sources to be used in the legal writing practice. More importantly, students should be instructed to apply clearly outlined strategies for using digital resources in the same way they would use print-based ones. Such implementation would provide the possibility to include several levels of knowledge, starting from particular vocabulary, terminology and register, specific morpho-syntactic levels, to the various styles and genres of writing that exist in the field of the law, all based on the effective and responsible incorporation of digital resources.

Recent studies on learner autonomy indicate a high level of recognition of the role of individual learners in guiding their own learning process, both inside and outside the classroom (Allford & Pachler, 2007; Breen, 2001; Conacher & Kelly-Holmes, 2007). Winne and Hadwin (1998) pointed out that academic study at the higher education level generally requires a certain amount of independent learning and learner self-management. The appropriate level of independent learning would in part instruct the students to develop a critical attitude to the resources they encounter. Reinders (2010: 46) summarises the various phases in the development of learning stages fostering learner autonomy. In that summary, the fourth phase would be selecting resources which may be both teacher-directed and learner-directed. This phase would in part motivate students to locate

resources on their own and develop a critical attitude to their own choices, which should enable them to use the selected resources both responsibly and effectively, thus independently and autonomously.

The research presented in this paper was initiated on the assumption that students at the final stage of their education should be independent to a certain extent and should show some capacity for self-management, i.e. be able to exercise autonomy in their learning. The elaborate instruction that the students received during a ten-week period was expected to help them develop an increasingly better and more autonomous performance in the use of digital resources in Legal English writing.

4. RESEARCH

Based on the findings and conclusions elaborated so far, the research relies on the step-by-step methodology of the presentation - practice - production model [henceforth the PPP-model]. The decision to design the research based on this model was driven primarily by the fact that this model is generally used for the gradual development of autonomous implementation of content in the regular language teaching process, including the course in Legal English attended by the students participating in this research. Therefore, three stages, each based on the PPP-model, were planned to guide the students through three individual writing assignments, namely: (1) a Letter of Complaint, (2) a Claim to the Employment Tribunal, and (3) a Closing Argument. As shall be illustrated here, an important aspect of the three stages, emphasized in the research, was that the students were expected to move from guided writing in the first stage to the independent use of digital resources in the third stage. The three conducted stages were completed in three consecutive weeks, one stage per week. In other words, presentation was covered in one week, practice in another, and production in the third week. The same principle was applied in all three assignments, which totalled nine weeks, plus one additional week, when overall production was summarized.

The first stage was aimed at instructing the students to write a Letter of Complaint. In this stage, all the resources the students needed were supplied, i.e. the writing was completely guided. In the presentation step, the students were introduced to the purpose and the possible reasons for writing a Letter of Complaint. Further, the basic structure of such letters was presented as well as the most frequent situations in which a customer might want to resort to writing a Letter of Complaint. In the practice stage, the students were made familiar with various forms of complaint letters which they had to analyse in class with regard to the elements they had previously been presented. The various tasks and activities were mainly designed as 'think-pair-share' activities and were conducted in that manner in class.

The final, production stage was completed by means of a ready-made writing tool available online, which the students were expected to use at home. They had to follow a clearly outlined writing task composed of three activities. The tool provides the illustration, the terminology, the patterns, the directions, etc. By choosing certain answers and by selecting available patterns, the students could reach the third activity (see Figure 1), where they were required to follow the instructions provided for them for each and every single paragraph they were supposed to produce. Upon the completion of their essay, they were required to submit it to their teacher by e-mail.

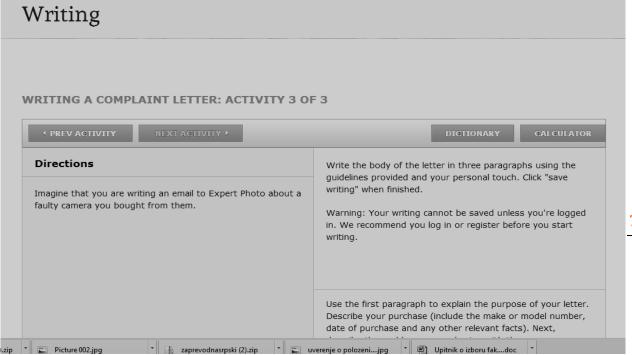


Figure 1. Illustration of final activity in the guided writing phase

In the second stage, the students were expected to write a Claim to the Employment Tribunal, more precisely a claim for unfair dismissal. Compared with the writing of the Letter of Complaint, this task was more demanding in terms of reading, yet not too demanding in terms of finding the adequate resources, since the students had been provided with the links to online resources. However, the level of difficulty was raised in terms of selecting information from the sources as well as of the structure of their claim. The students had no model, no outline and no guidance whatsoever regarding the final layout of their written piece. They were only presented with an example of a claim, which they could adapt to their own writing.

¹ Available at http://www.tv411.org/writing/creative-personal-writing/writing-complaint-letter/activity/1/1.

Again, in the presentation step, the students learned about claims in general. The purpose of writing claims was illustrated to them in reference to employment issues, as their writing assignment was to produce a Claim to the Employment Tribunal. For the purpose of this phase, an elaborate webquest had been prepared for the students.² Part of the webquest had been used in class, in the presentation phase, and part of it was supposed to be used for the practice part, which the students were expected to do at home.

The final part, i.e. that of production, was also supposed to be completed at home, following the instruction provided in the "Your task in detail" section of the webquest (see Figure 2). By following a clearly outlined procedure, the students had to start by familiarising themselves with the information and then move on to choosing how much of the provided information they would actually use as well as how much information from the presentation part they would incorporate. An additional task was to refer to the supplied assessment rubrics in the "Evaluation" section of the webquest, where both evaluation criteria and expectations had been defined in advance to help the students better organise their writing. As in the first stage, the students had to submit their written claims to their teacher via e-mail.

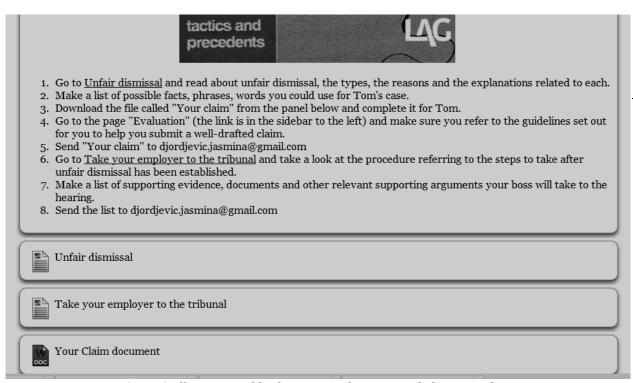


Figure 2. Illustration of final activity in the semi-guided writing phase

The final stage was designed to teach the students how to write a Closing Argument. It was the most difficult stage of the process, as the resources and the

² Available at http://zunal.com/webquest.php?w=170859.

structure of the final written product had been supplied only indirectly. In other words, the students were expected to submit a piece of writing that would have been produced almost independently.

For the presentation part, a Prezi³ had been prepared and presented in class (see Figure 3). It included the presentation of the Closing Argument as a form of written genre as well as the practice part and clear instructions on how to produce the final piece of writing. The indirect resources that the students were supplied with included a model of a Closing Argument in the textbook used in the course,⁴ several excerpts from Grisham's (1995) novel *The Rainmaker*, focused on the facts related to the case the lawyer in the novel is handling and the evidence he has managed to collect in his investigation. In addition, a YouTube clip with Matt Damon presenting his closing argument in the film adaptation of the above Grisham's novel was supplied, as well as a list of tips regarding the necessary elements of a well-written Closing Argument. The students were expected to make use of all the resources and include them in their Closing Argument. In addition, the students could access the Prezi presentation from home, where they were supposed to write their own Closing Argument. Upon the completion of their writing, the students submitted the Closing Arguments to their teacher by e-mail.

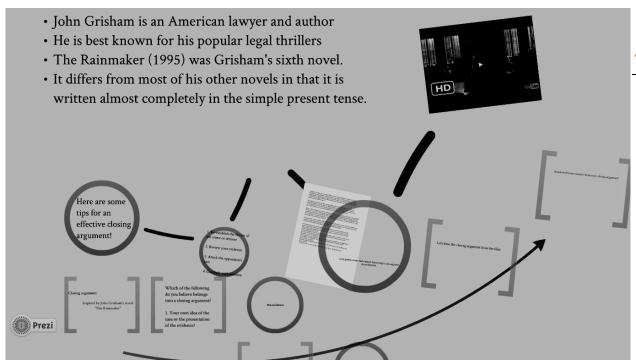


Figure 3. Illustration of the presentation used in the final independent writing phase

³ Available at http://prezi.com/gy6r7sdsbe4o/interactive-legal-english/

⁴ Krois-Lindner, A. (2011). *International Legal English.* Cambridge: Cambridge University Press.

5. RESULTS AND DISCUSSION

The evaluation criteria for the individual writing assignments in the three stages (the Letter of Complaint [henceforth E1], the Claim to the Employment Tribunal [henceforth E2] and the Closing Argument [henceforth E3]) were divided into two categories: (1) ideas/research questions defined [henceforth C1], and (2) the quality of the sources used [henceforth C2] (see Table 1). The levels of quality were evaluated on a scale from 1 to 4, which enabled a thorough qualitative analysis of students' written products after each stage.

Score	4	3	2	1
,	Students identify at least 4 reasonable,			Students identify only general
	ideas/questions, closely related to	closely related to the case and pursue them when	and pursue them when doing the	ideas/questions and pursue when doing the research.
Sources (C2)	use at least 2 pieces of reliable, supporting information sources for EACH	use information sources only related to their	use only general information sources remotely related to their	Students locate and use general information sources not related to their ideas or questions.

Table 1. Evaluation criteria for writing assignments

The scores of all three writing assignments for both criteria (dependent variables) were coded along with the information concerning the students' gender and the final grade in Legal English (independent variables). All the data were analyzed by means of the SPSS (Statistical Package for the Social Sciences) 13.0 software: the independent samples t-test was used to analyze if the students' gender bore any statistical significance with respect to dependent variables, the analysis of variance (ANOVA) was used to investigate if the students' final grades in Legal English were in any way statistically significant, and a paired samples t-test was performed to compare the scores in all three writing assignments (E1, E2 and E3) for both evaluation criteria (C1 and C2).

5.1. External factors

Nineteen students participated in the research. Their average age was 21 and all of them were third-year students at the Department of English Language, Faculty of Law and Business Studies Dr Lazar Vrkatić, Novi Sad, Serbia. When it comes to the structure of the sample with respect to gender, 31.6% of the students were male and 68.4% were female. An independent samples t-test for the variable of gender (see Table 2) has shown that there are no statistically significant differences with respect to the final grade in Legal English (t=-.805, p=.432) and the scores in essays 1 and 3 (t=-.296, p=.771, t=.098, p=.923). In contrast, the t-test has shown that there is a statistically significant difference between the male and the female participants in essay 2 (t=3.292, p=.004, t=3.288, p=.005), indicating that the male participants tackled this assignment significantly better than the female ones. Although this implies that there are differences in gender with respect to achieving autonomy, this topic will not be pursued further, as it goes well beyond the scope of the paper and as the sample is too small to draw any definitive conclusions.

	t	p	Mean Difference
Score	805	.432	5385
E2, C1	3.292	.004	.98718
E2, C2	3.288	.005	.97436
E3, C1	296	.771	1154
E3, C2	.098	.923	.03846

Table 2. An independent samples t-test for gender

5.2. Influence of gradual instruction

One aim of the research was to check if the gradual instruction the students were exposed to had any effect on the potential autonomy. Table 3 below offers the percentage for the students' scores in the three writing assignments for both criteria: (1) the ideas/research questions defined, and (2) the quality of the sources used. A general tendency can be noticed: as the requirements for the students' autonomy increase from one assignment to another, the scores in both criteria gradually decrease. In other words, the students' scores progressively decline, e.g. from 100% for score 4 (on a scale of 1-4, as presented in Table 1) for both criteria in E1, to 47.4% for C1 and to 31.6% for C2 for score 4 in E2, which subsequently decreases further to 15.8% for score 4 for both criteria in E3.

essays	score	C1	C2
E1	2	-	-
	3	-	-
	4	100%	100%
E2	2	31.6%	31.6%
	3	21.1%	36.8%
	4	47.4%	31.6%
E3	2	57.9%	68.4%
	3	26.3%	15.8%
	4	15.8%	15.8%

Table 3. Percentage of scores in all three assignments

In order to see if there are any statistically significant differences among the scores in all three essays with respect to both evaluation criteria, a paired samples t-test was performed (see Table 4).

pairs of essays and criteria		Mean	Std. Deviation	t	p
E1, C1	E2, C1	.84211	.89834	4.086	.001
E1, C2	E2, C2	1.00000	.81650	5.339	.000
E2, C1	E3, C1	.57895	.83771	3.012	.007
E2, C2	E3, C2	.52632	.69669	3.293	.004
E1, C1	E3, C1	1.42105	.76853	8.060	.000
E1, C2	E3, C2	1.52632	.77233	8.614	.000

Table 4. A paired samples t-test for all three essays

As presented, the differences between essays 1, 2 and 3 are statistically significant with respect to both criteria (ideas/research questions and quality of sources). This indicates that the students' achievement decreases significantly from essay 1 to essay 3, which is directly linked to the required autonomy in the use of digital sources. In other words, as the students are asked to work more and more independently, their performance declines in a statistically significant manner with respect to both evaluation criteria.

Such result may first be attributed to the fact that, prior to the research, none of the students had been expected to produce a piece of writing elaborating and presenting a legal problem. The students who participated in the research are students at the Department of English who had attended only one semester of Legal English prior to the research. Therefore, their general lack of sufficient experience in the subject matter of the course might also be a reason for their poor performance, as the supplied resources referred to authentic material explaining issues in the field of law. For instance, the three students whose final grade in their Legal English course was 8 (on a scale from 5 to 10, where 5 indicates 'fail' and 6-10 'pass') showed a considerably lower result as early as in the second stage, mainly for the second criterion, and in the third stage, for both criteria. Actually, in the second stage the students seem to have ignored the links supplied in the webquest and searched for other resources, as they supplied facts and information that could not be tracked back to the resources they had been instructed to use. In the third stage, two of the three students whose final grade in their Legal English course was 8 did not use the facts and evidence supplied in the presentation, thus failing to properly develop an important segment in their Closing Argument. By comparison, all the students with lower final grades in their Legal English course (6 and 7) mastered the task in the first stage achieving the highest final grade but showed a rather significant lack of understanding of the subject matter in both the second and the third stages, as they identified, located and used only general ideas and information sources remotely related to the topic.

5.3. Influence of the final grade

Another research aim was to investigate if the students' final grade influenced the desired autonomy at the end of the ten-week period. Firstly, the distribution of the students' final grade in Legal English⁵ can be found in Table 5 below. It can be seen that over 60% of the students have low final grades in Legal English, whereas only around 20% achieved higher final grades at the end of the semester (i.e. 9 and 10).

final grade	percent
6	31.6
7	31.6
8	15.8
9	10.5
10	10.5

Table 5. Percentage of the students' final grades at the end of the semester

⁵ The final grade at the end of the semester is calculated on the basis of the final oral exam (60%), pre-examination activities comprising two tests (10%+10%), and attendance and activities (20%). The evaluation of the performance achieved in the writing assignments was included in the evaluation of the "attendance and activities" segment, making up a total of 10% of the final grade.

The ANOVA test for the final grade in Legal English (see Table 6) has shown only one statistically significant influence: on the scores in the third essay for both evaluation criteria (F=9.633, p=.001, F=13.844, p=.001).

	Sum of Squares	df	Mean Square	F	p
E1, C1	.000	4	.000		
E1, C2	.000	4	.000		
E2, C1	4.193	4	1.048	1.420	.278
E2, C2	3.333	4	.833	1.346	.302
E3, C1	7.798	4	1.950	9.633	.001
E3, C2	8.570	4	2.143	13.844	.000

Table 6. ANOVA for final grades in Legal English

In order to further examine which means are statistically different from each other, a Bonferroni post hoc test was performed. In case of Essay 3, Criterion 1, the post hoc test indicated that the students whose final grade was either 9 or 10 performed significantly better than those students whose final grade was either 6 or 7. In other words, the students with a higher final grade outperformed the students with a lower final grade with respect to how they formulated their ideas and research questions in the third assignment. There were no statistically significant relationships when it comes to students whose final grade was 8. The post hoc test for Essay 3, Criterion 2, has shown that the students whose final grade was either 9 or 10 performed significantly better than those students whose final grade was 6, 7 or 8. More precisely, when it comes to the quality of sources, the students with a higher final grade also outperformed the students with a lower final grade, this time including the students whose final grade in Legal English was 8.

The indicated trend concerning the students who outperformed their peers may be explained by the fact that those students who mastered the expected tasks more independently are generally better achievers in the entire Legal English course. It was actually expected that they would be able to formulate their ideas and research questions quite successfully. Yet, it was not expected that their final writing product would reflect such a high quality of sources used in their writing. What is more, the students with the highest final grade (two students with the final grade 10 and one student with the final grade 9), actually achieved a consistent result with regard to both criteria in all three stages. In other words, they achieved the score 4 in all three steps for both expected criteria. In comparison to that, the three students whose final grade was 8 showed a significantly lower result because they did not follow the instruction properly. In stage two, they seem to have disregarded the link to the resource on unfair dismissals provided in the webquest; also, in stage three, they did not include the facts and evidence supplied

in the presentation. In both instances, they supplied rather generalised and imprecise arguments which could not be tracked back to the provided resources.

6. CONCLUSION

The hypothesis that a ten-week implementation of gradual instruction ranging from guided writing to the independent use of digital resources contributes to the increase in student autonomy to use digital resources both responsibly and effectively in their Legal English writing was not confirmed. The research was done on a relatively small sample of 19 participants owing to which the results should not be generalized. Yet, the results obtained from the research and presented in this paper may be considered a clear indication that ten weeks is not enough to develop the autonomous and effective use of digital resources for Legal English writing among students, apparently because they have not had any formal instruction in the use of digital resource dealing with their subject matter at earlier stages of their education. Obviously, in order to develop the competence to use digital resources purposely, a structured method should be applied from the beginning of tertiary education, if not earlier.

As confirmed by the results presented in the paper, the gradual instruction applied in the research contributed to a certain increase in student autonomy to use digital resources in their writing only among students who are generally better achievers (students with the final grade 9 or 10 in their Legal English course). As reflected in their final products, a certain level of autonomy could be developed among the students, despite the fact that the quality of the selected resources might not be of a high standard. However, a general tendency prevailed among most students: as the requirements for the students' autonomy increased from one assignment to another, the scores in both criteria gradually decreased. In other words, the students' scores progressively declined as the tasks developed from less to more demanding, in terms of requested autonomy.

The final outcome of the procedure applied in the present research indicates that the students show a certain level of insecurity and lack of properly developed capacity to use digital resources autonomously and effectively. Such an outcome clearly shows that more attention should be paid to the use of digital resources in academic language classes from the beginning of tertiary education, so as to help students familiarise themselves with the procedure of researching sources autonomously, selecting the proper ones independently and critically, and successfully incorporating them into their ESP production.

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